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LITERARY REMAINS.





J. W. Campbell

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PR
BIOGRAPHICAL SKETCHES;

WITH OTHER

LITERARY REMAINS

OF THE LATE

JOHN W. CAMPBELL, (of Va.)
see
122

Judge of the United States Court for the District of Ohio.

COMPILED BY HIS WIDOW.

COLUMBUS, OHIO:

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P R E F A C E .

A VERY few words will suffice, as an introduction to the contents of this volume. The feelings of the compiler, on giving those contents to the world, could neither be obtruded upon the public with propriety, nor relieved by expression. In collecting and combining into a volume; the various literary fragments of him who was the light of her youth and the companion of her active life, but who has been called by Providence to that far country from whose bourne no traveler returns, she is influenced by a triple motive: to do justice to his memory—to leave a memento to his friends and relatives—to record the sentiments of a reflective mind, and disseminate the opinions of a good man.

A number of years before his death, the author of the following pages formed the design of writing, at greater or less length as their services to the public may have been many or few, the lives of the Western Pioneers. Much time had been spent in collecting the necessary data, and considerable progress made with the work, when the hand that wrought it was suddenly arrested in the midst of the task. The materials which had been gotten together with much trouble and labor, were not in a situation to be arranged by another hand than that which collected them. The only Biographical Sketches found completed among the papers of the deceased, were those of RUFUS PUTNAM, WILLIAM A. TRIMBLE, PAUL FEARING, RETURN J. MEIGS, and GEORGE W. BURNET. These are productions of much interest, and occupy the first hundred pages of the volume. They are followed by various Miscellaneous Papers, some of which had received the last touches of the author's pen, others of which were apparently first draughts. These again are succeeded by extracts from Speeches in Congress, and fragments of some of his earlier writings. That these latter portions of the volume are not what they would have become under the hand which hastily produced them, will at once appear by a reference to such of the contents as received his final care:

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PREFACE.

but that they are worthy of the place which they occupy, is the belief of the compiler.

Trusting that the work may prove acceptable to the public and do good where it is received, and returning her sincere thanks to the gentlemen who have assisted her for their kind attentions, the compiler subscribes herself,

E. W. C.

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A SKETCH OF THE LIFE OF THE LATE JUDGE CAMPBELL.

Nothing can be more instructive, or have a better moral effect, than the lives of men who have filled distinguished stations in society, with honor to themselves and usefulness to their country. If History teaches by examples, the lessons inculcated by Biography must be still more impressive.

We see exhibited in the varieties of human character, under different circumstances, something to instruct us in our duty, and to encourage our efforts, under every emergency. And, perhaps, there is no concurrence of events which produces this effect more certainly, than the steps by which distinction has been acquired through the unaided efforts of youthful enterprise.

It is, indeed, one of the most encouraging facts which can any where exist, that, in this country, a large proportion of those individuals who, by their public services, or their professional acquirements and talents, have risen to a greater or less degree of eminence, have risen by their own exertions. They are felt in the great operations of science and of government, whilst others more favored by fortune, who have wasted their time and money, remain undistinguished in the mass of society.

The very short sketch which the writer proposes to give of the life of the Hon. JOHN W. CAMPBELL, will, he trusts, not be devoid of interest. There will be found in it something to encourage the exertions of those youths who, without fortune or influential friends, are struggling to overcome obstacles in the acquirement of useful knowledge. They will see in the example before them, how difficulties were surmounted, and what an enviable reputation was achieved, by perseverance and virtue.

Judge CAMPBELL was born of respectable parents, February 23d, 1782, near Miller's Iron Works, in Augusta county,

State of Virginia. He was about nine years old when his father removed to Bourbon county, in the State of Kentucky. Being in very limited circumstances, and having a numerous family, Mr. Campbell was not able to give his sons more than the imperfect rudiments of such an education as could, at that early day, be acquired at a common country school. Indeed, his necessities required the labor of his sons on the farm, as soon as they were able.

The subject of this memoir not being, in early life, of a robust frame; and being liable to a pain in his head, which was greatly increased by labor in the open fields, it was soon found that he was not well fitted for the laborious occupation of a farmer. And in addition to this, from his earliest years he manifested a strong predilection for the attainment of knowledge.

Some years after the settlement of Mr. Campbell in Kentucky, his brother-in-law, the Rev. Mr. Wilson, of Virginia, being on a visit to the family, and seeing in his nephew an uncommon thirst for knowledge, and thinking favorably of his capacity, proposed to his parents to take him to Virginia, and give him, with his own son, a collegiate education. At this proposal JOHN was greatly delighted, and already looked upon his uncle as his great benefactor and friend. But when his uncle departed, he was not permitted to accompany him. This was a great disappointment to his ardent hopes and flattering prospects. No reason is known for the failure of this arrangement, unless it was the unwillingness of a most affectionate mother to part with her son.

Not finding any prospect of mental improvement while he remained laboring on the farm, and feeling deeply the late disappointment, he, in company with a youth of the same neighborhood, and about the same age, left the service of his father, and traveled to Cincinnati, which at that time was an inconsiderable village. Here they both agreed to learn the trade of a house carpenter, and made an arrangement to this effect with a master workman.

They were both industrious, and soon secured the confidence and good feeling of their employer. In the course of a few months, the fathers of both the lads came to Cincinnati

suit is attained—when seated in office—the principle of rotation is discarded.

Judge CAMPBELL was opposed to those political hobbies, which were got up and advocated by leading men, with the view to their own advancement. He was alike opposed to the extreme doctrines of the South and of the North. Whilst he was utterly opposed to nullification, he was equally hostile to that ultra protection which seemed to lose sight of all interests except those of the manufacturers. And it cannot be doubted that his views, which disconnected great and leading interests from the fortunes of political aspirants, and placed them upon their own intrinsic merits, were dictated by an enlightened patriotism, and ought to receive universal commendation. It is the only course which can save our beloved country from those personal factions which, through all time, have been the destruction of free government.

Being about to leave Congress, and cherishing a fondness for a retired and rural life, in 1826, Judge CAMPBELL removed to Brown county, and settled on a farm, which he improved with care. For some time, his attention was chiefly engrossed in the occupations of his farm, and in building a large and convenient mansion house.

There is something exceedingly attractive in the voluntary retirement of a man who, for several years, has taken an active and influential part in the affairs of the government. He leaves public life in the fullness of his strength, and while in the pathway of political advancement. He exchanges the exciting scenes of political turmoil, which present the most powerful attractions to the ambitious, for the peaceful shades of his own farm. Here he ruminates on past events, on those that are passing, and on those which futurity shall probably develop. Without ostentation, or apparent conscious superiority, he mingles in the society of his neighbors; and whilst he imparts to them much of the stores of his knowledge, he is not uninstructed by the sound sense and practical views which he receives from them.

In the fall of 1828, a very short time before the annual election, the friends of Judge CAMPBELL nominated him as a candidate for Governor. If he consented to this step, it was

with no small reluctance; as it broke in upon his retirement, and the time before the election was so short, that but little hope could be entertained of success. His name, however, throughout the State, was found to carry with it great strength, and especially in those parts where sufficient time was given for reasonable exertions by his friends. He received a powerful vote; and if his political friends in the northern part of the State had fully appreciated his strength in other parts of it, it was believed, by many, that he might have been elected.

On the accession of General Jackson to the Presidency, in March, 1829, Judge CAMPBELL was nominated for the office of District Judge of the United States, for the State of Ohio. The Senate unanimously confirmed this nomination, and it was accepted.

With the view of being at the place where his duties were required to be discharged, and of having access to the State and other libraries, in the prosecution of his literary studies, Judge CAMPBELL, in 1831, removed to Columbus, where he continued to reside until his decease.

He carried with him on the bench the same unbending integrity, and good sense, which had marked his public course. Having been in a great degree abstracted from professional studies while he remained in Congress, he found it necessary, on his appointment to the bench, to review his law reading, and prepare himself for the important duties which devolved on him. And this labor he performed, with the same assiduity which characterized his early life.

Being called, soon after his appointment, to the discharge of his duties, he was sensible that on questions of practice, and some other branches of the law, he would stand in need of some indulgence from the profession. And it may be, that some members of the bar did not appreciate as they should have done, the circumstances under which he acted. But it is believed that he conciliated their esteem and confidence; and that among his professional brethren, the most unfeigned sorrow was felt at his loss.

The honorary degree of Doctor of Civil Laws, without his knowledge, was conferred on him by Augusta College, at its commencement in 1831.

A short experience, with close application, relieved Judge CAMPBELL from any embarrassments which a want of self-confidence may have subjected him to in the commencement of his judicial career. And had his most useful life been spared, he would soon have acquired on the bench, that eminence which his friends, from the development of talent and character in his Congressional services, knew he must attain.

His early habits of study were never laid aside. It was a maxim with him to economize time, and so employ his passing hours as to conduce to the improvement of himself, or the instruction of others. He generally rose at four o'clock in the morning, to engage in some favorite study. Many of his lucubrations were published anonymously, in the periodicals of the day; and he has left many disquisitions in manuscript, on various subjects, which have never been published.

From the time Judge CAMPBELL removed to Columbus, he considered it as his permanent residence; and his means were principally vested in the purchase of town lots, and in their improvement.

To his wife he often observed, if the city should become sickly, or the cholera should make its appearance, they would retire, for a time, to the country: but when the fatal scourge made its appearance in that place, in the summer of 1833, he changed his mind on the subject. He was desirous that his family should go to the country, but he resolved himself to remain, to administer assistance to his suffering and dying fellow citizens.

This shows, in a most interesting light, the moral force of his character. While the malady was at a distance, and the objects of distress were not before his eyes, he concluded to escape from the danger; but when it was at hand, and the groans of the dying reached his ears, all thoughts of his own safety or suffering were lost in his benevolent exertions to mitigate the sufferings of others. From the dawn of day until midnight, he was almost constantly engaged in visiting the abodes of distress, and in administering to the necessities of the afflicted. His footsteps and his voice were heard wherever human suffering was found, and his kindness

soothed the sorrows, and cheered the hopes, of many who were yielding to despair.

Does there lie within the compass of human action, any thing which gives greater dignity to our nature, and assimilates it more to our Creator, than conduct like this? And can it be supposed that such a course, impelled by unmixed benevolence, escapes the notice of Heaven, or will not receive, sooner or later, a suitable reward? Let the miserable, not to say contemptible sceptic, quibble as he may, we will believe in a Superintending Providence, and that good acts are as certainly rewarded, as evil acts, unrepented of, are punished.

This work of benevolence was continued by Judge CAMPBELL until it was, in a great degree, arrested by the serious illness of an adopted little daughter, to whom both he and Mrs. Campbell were most tenderly attached. She lingered under a distressing fever for ten days, and then expired.

During her illness, every thing was done to save her which the skill of physicians could devise. The attentions of Judge CAMPBELL were unremitting, and his solicitude for the recovery of the child was inexpressible. But he was doomed to suffer this bereavement, only a short space before he was himself to be called to his last account.

How inscrutable are the ways of Providence! His footsteps, as the poet justly expresses, "are" often "planted in the deep"!

After the interment of their adopted child, Judge CAMPBELL and wife, being broken down by fatigue and anxiety, and as the cholera was rapidly subsiding at Columbus, concluded to make an excursion to the Delaware Springs, to recruit their health and spirits. On their way to the Springs, at the house of a Mr. Jameson, Judge CAMPBELL had a severe chill, which was followed by a high fever. He was observed by Mrs. Campbell to be unusually solemn on the journey, and not unfrequently she saw him deeply engaged in mental devotion.

On the evening of the chill he took some medicine, spent a restless night, and the next day, though much indisposed, they proceeded to Delaware. A physician was called, who gave medicine which did not produce the desired effect; and as he continued to grow worse, a consulting physician was

called. In defiance of medicine, the violence of the fever increased; and it was evident that he was, in a short time, reduced to a most critical state.

From the commencement of the attack, Judge CAMPBELL labored under an impression that he should not recover. This impression he communicated to his wife, and requested to be taken to Columbus, after his decease, and laid by the side of their adopted daughter. He remarked that he had made a will, told his wife where she could find it, and then said, that he wished his mind to be free from the cares of the world.

At his request, the Rev. Doctor Hoge, of Columbus, a most worthy minister, visited him, and by conversation and prayer, administered to him much consolation.

During his illness, frequently through the day, Mrs. Campbell read to him parts of the scriptures, and he would earnestly engage in the most solemn devotion. On hearing the church bell on the Sabbath, he exclaimed, "Oh that I could go to church, that I might worship the Lord this day in spirit and in truth." He said, as it regarded his dealings and intercourse with men, he felt no regrets, but that he deeply regretted his many failures of duty to his Maker. In contemplating the merits of the atonement, and the unspeakable condescension of the Saviour, he professed to feel great comfort. When much solicitude was manifested by his friends for the prolongation of his life, he expressed resignation to the will of God, and was thankful for the enjoyment of his reason in his affliction.

The hand of death was upon him; and retaining the exercise of his faculties, he was fully aware of its approaches. After some remarks to his affectionate wife; to a brother, just arrived; and to his nephew, he at last seemed to compose himself for his last and trying moment. With his hands crossed, and his heart uplifted in prayer, he calmly resigned his breath, on the night of the 24th of September, 1833, at ten minutes after one o'clock.

On the arrival of the melancholy intelligence of his decease at Columbus, a great sensation was produced; for he was universally respected, and his late acts of benevolence had endeared him to the hearts of his fellow citizens. Some hun-

dreds of citizens, from Columbus, met the funeral procession near Worthington, and accompanied the remains of their lamented neighbor to his last home.

Justly to appreciate the character of Judge CAMPBELL, it was necessary to know him. And no one could know him, intimately, without appreciating, in the highest degree, his moral qualities, and the goodness of his heart.

He was ingenuous and liberal. In numerous instances he assisted to educate promising youths, who were desirous of acquiring knowledge, but were destitute of the means. And in the exercise of this charity, he no doubt felt peculiar gratification, as he could not fail to remember his own difficulties at this interesting period of life.

Judge CAMPBELL's mind was cultivated. His knowledge was accurate, varied, and extensive. He was fond of composition and criticism, and he acquired a correct taste in these most desirable attainments. His style is chaste and perspicuous. What he conceived, he expressed clearly and forcibly. And when he discussed a subject, either in a public speech or in a written disquisition, views were always presented interesting and instructive.

The leading characteristic of his mind was common sense, which must be the basis of all great minds. Nothing can compensate for the want of this. Whatever may be the original conceptions of mind, and however capable it may be of exploring the regions of fancy, if it possess not common sense, it is unfitted for the great operations of society. It cannot sustain the character of a master spirit, in the important drama of life.

If Judge CAMPBELL did not possess the original conceptions of some minds, or the force of others, he was never found at war with common sense. He possessed a sound judgment, and a mind capable of very accurate discrimination.

In his public and private walks, his example was worthy of imitation. He always acted under the influence of a high moral principle, and the tendency of all he did was to advance the interest of his country, or ameliorate the condition of his fellow beings. He sought to accumulate property beyond what was necessary for the comfort of his family, only that he might, in the use of it, extend the sphere of his benevolence.

Having received a religious education, he never ceased to cherish the warmest attachment to the Christian religion, and had an unshaken confidence in its truth. No person attended public worship more punctually than he did, or could be more conscientious in contributing to the support of the gospel. He seemed most attached to the Presbyterian church, and was a constant attendant on the ministrations in that church; but he was no sectarian in principle or feeling.

As a friend, he was frank, warm hearted, and disinterested. There was no guile in his heart—no deceit on his lips. His death left a vacuum which was deeply felt and lamented in silence by his friends, and by no one more than the writer of this sketch. To him Judge CAMPBELL* was known long and intimately, and he never knew a more estimable man. And in paying this small tribute to the memory of a friend whom he so much esteemed and loved, he feels a melancholy pleasure. It is all that the grave has left of a cherished friendship, which, to him, was an unfailing source of happiness.

The following memorial, written by an esteemed friend, is inscribed on his grave stone:

Erected
In memory of
THE HON. JOHN W. CAMPBELL,
Late Judge of the Court of the U. S.
For the District of Ohio.
He was born in the county of Augusta,
Virginia,
And died at Delaware, Ohio, September 24, 1833,
Aged 51 years and 7 months.
He served his fellow citizens,
First, in the Legislature of Ohio;
Afterwards, during ten years,
As a Representative in Congress.
He was approved
As an efficient Legislator,
And as an upright and enlightened Jurist,
Possessing talents of a high order,
Directed by the strictest integrity.
He was esteemed as an honest man,
Honored as a patriotic citizen,
Beloved as a kinsman and friend.
Cordially embracing the religion
Of the Divine Saviour,
He wished to live to recommend
That religion to others.
He was just and benevolent,
Had hope in his end,
And his death was lamented
By all who knew him.

BIOGRAPHICAL SKETCHES.

GENERAL RUFUS PUTNAM.

THE American Revolution, whether considered in reference to the difficulties in the immediate way of its happy termination, the characters of its promoters, or the results, must be regarded as one of the most important events in the history of the world. With the difficulties we have been made familiar, by the faithful historian and by communication with many who were actors in the undertaking. From these sources we learn much to excite our admiration of the wisdom, patience, and fortitude of those patriots who wielded the destinies of the infant republic. We further learn, that men of prudence and intelligence in the prosecution of their just rights, disclose talents equal to the achievement; and that obstacles, at first the most discouraging and apparently invincible, must, in the end, yield to persevering effort.

With many individuals who made themselves conspicuous in the revolutionary war, we are but imperfectly acquainted. The most we know of them is derived from the accounts of the public proceedings of the day, and in terms too general to develop character. To study man thoroughly, we must examine him at home and abroad. We must inspect him in the domestic circle, in his intercourse with his friends and neighbors, as well as follow him into the service of his country.

The characters of the living seem, by common consent, to be private property. It has been remarked, that the biographer cannot do justice to a man until he is dead. Delicacy may forbid the eulogy of his virtues, as well as the publica-

tion of his vices. When, however, death shall have performed his office, the reputation of the great and good becomes the property of the country. Then it is, his life, with all its incidents, may be usefully told, offering a chart for the guidance of those who are on the stage of action.

Of the results of the revolution, it is impossible to form a true estimate. The vail of futurity conceals much from our eyes, which the patriot and philosopher now unborn may take into the computation. The authors of our institutions could not foresee the fruits already produced, nor can we boast of more prescience.

This, however, is known, that the war of the revolution eventuated in the release of our country from British thralldom, and in the establishment of our independence as a nation. Now, the American people are in the full and free enjoyment of civil liberty, based upon equal laws, of their own enactment, wisely administered—blessed with domestic peace, and sustaining national importance abroad—cultivating the arts which refine and ennoble our nature, and making rapid advances to a high condition of wealth and prosperity. These are not all the consequences of the revolution; nor are they confined to our own country. The light then elicited, has fallen upon other regions. There the subjects and vassals of kings and despots have been taught that all men are born equal; and that, possessing a reasonable share of intelligence, they are competent to govern themselves. Until the establishment of our political system, a republican form was the jest of tyrants, who alledged that it could exist only on paper, or in wild imagination—that if reduced to practice, it would, as of old, demonstrate its own absurdity, prove that the people are their own worst enemies, and wholly incompetent to manage their own affairs. The elements of our government are now more or less understood throughout the civilized world, and their application most successfully tested. Before the universe, the experiment we have made has scattered to the winds these idle and insolent dogmas of despots. The principles developed are as immutable as truth—they are truth itself, and have taken deep root in the minds of men. They flourished in adversity, in despite of the most stern and

uncompromising opposition. One striking feature is, that they acquire strength and charms from resistance, and, like piety, seek universal expansion. The freedom of others renders the oppressed unhappy. The slave will institute comparisons; and in the process, he finds himself so degraded, possessing so little to make life a blessing, that he resolves to struggle for a change. Such is the case now in many of the countries of Europe. There is a cry for reform—a radical reform, having in view the mitigation of popular suffering. The American people serve as an example to stimulate them to action, and as a beacon for their direction. In vain may tyrants form alliances and combinations to resist the march of light and liberty. It is but a shallow artifice, and must, sooner or later, if conjecture may be indulged, recoil upon their own heads with augmented fury.

These considerations attach new importance to our revolution, and increase our desire to be acquainted with the characters of those who, in the hands of God, were active in producing such signal and beneficial results. Indeed, with additional solicitude do we look to every act and occurrence, however minute, tending in the least degree to unfold their genius and talents.

To gratify, in some degree, this laudable propensity of our nature, and to lead to a closer intimacy with those who may, with great propriety, be denominated our fathers, and the benefactors of mankind, we tender a sketch of the life of General RUFUS PUTNAM. In making this offering to the public, it is in our power to show what a man of good intellect, and untiring industry, can do for his country and himself. He can be traced, step by step, from the early and obscure period of orphanage, to an exalted rank in the army of his country, to eminent stations in civil life, and to high respectability and usefulness as a citizen.

RUFUS PUTNAM was born at Sutton, in the State of Massachusetts, on the 9th day of April, in the year 1738; O. S., being the youngest of six brothers. His father, Elisha Putnam, was a descendant, in the fourth generation, from John Putnam, who emigrated from Buckinghamshire, in England, in 1634, and settled at Salem, in Massachusetts. At the ten-

der age of seven, Rufus lost his father, and was taken into the family of his maternal grandfather, Jonathan Fuller, of Danvers, where he resided until his ninth year.

Hitherto he had enjoyed the advantages of instruction afforded by a country school, taught three or four months in the year. This opportunity, unpromising as it was, enabled him to make some proficiency; and at the age of nine he could, without difficulty, read the scriptures. About this time, his mother having again married, he left his grandfather's, and went to live in the family of his stepfather, with whom he remained until he had nearly completed his fifteenth year. During this period, his education was totally neglected. He was neither sent to school, nor instructed at home; and what was worse, his stepfather, who was extremely illiterate, had a most thorough contempt for every one who knew more than himself. His habit was to ridicule and abuse young Putnam, on account of his devotion for books, and desire to be able to write and cipher. To so brutal a degree was this hostility to improvement carried, that he was denied the privilege of light for studying, in the long evenings of winter. These disheartening circumstances, however, did not abate his ardor. By perseverance, he succeeded in learning to write a legible hand, and to master the first simple rules of arithmetic.

Before the expiration of his fifteenth year, he was bound as an apprentice to a millwright, whom he served the stipulated term of four years. During this period, he received no instruction except what had an immediate relation to the mechanical part of the trade. Unaided, however, as he was, he still cherished a most praiseworthy fondness for books. All his leisure hours were assiduously devoted to reading. Not having the command of more time for study than his laborious occupation casually permitted, it may well be supposed his eagerness for information, for something new, and interesting, hurried him superficially over subjects of importance, requiring much time and attention. For what branches of literature he evinced the greatest partiality, we are not informed.

In the year 1757, then nineteen years of age, and having completed his apprenticeship, he enlisted as a common soldier

in the provincial service. At that time a bloody war was carried on between England and France. In the month of May, he joined the army in the vicinity of Lake George, the theater of action, and experienced all the privations and sufferings incident to such a service. He served faithfully in the campaigns of 1757, 58, 59, and 60, when the surrender of Montreal secured the conquest of Canada, and caused the army to be disbanded.

During this course of service, he was engaged in many of the battles between Fort Edward, on the Huron, and the lower end of Lake Champlain. He bore a part in the unsuccessful attack made by General Abercrombie, with a force of 15,000 men, in 1758, on the French works near Ticonderoga; and was with the army of General Amherst the next year, when the place was taken after a siege of four days.

Sometimes he was employed in the dangerous and fatiguing business of a ranger—often with the artisans in constructing bridges and mills—sometimes as an engineer, erecting fortifications and batteries—and again, under partisan officers scouring the woods for Indians and other enemies. His services, however, had been mostly confined to the engineer department, which, perhaps, may be considered as one reason why his promotion did not rise higher than that of an Ensign.

In the month of December, 1760, the war having terminated, he returned to his residence in New Braintree; and in the spring of the following year, was married to a Miss Ayres, of Brookfield, who died in giving birth to her first infant, which survived its mother only a few months.

After the conclusion of the French war, for seven or eight years, the attention of Mr. Putnam was turned almost exclusively to his business of a millwright, in the prosecution of which he soon discovered the importance of mathematical knowledge. In making his calculations, he often found himself at a loss in arriving at absolute certainty. To remedy this defect, and to save himself the mortification of running into serious errors when compelled, in some degree, to *lay out* his work by guess, he devoted as much time to study as his condition would allow. By persevering industry he became a proficient in that branch of science which he so much

needed, and acquired so competent a knowledge of navigation and surveying as to be able to practice them correctly, when circumstances, as we shall hereafter see, rendered their use necessary. Of grammar he knew nothing, which he often lamented; as, in the course of a long life of public employment, he was not unfrequently subjected to inconvenience and mortification.

In 1765, when Mr. Putnam was 27 years old, he was married the second time. His wife was Miss Persis Rice, of Westborough, by whom he had nine children.

As grants of lands had been promised by the British Government to the regular troops who served in the French war, solicitations for like favors in behalf of the officers and soldiers of the provincial army, had, for the same reason, been presented to Parliament. In 1772, information was received through a channel entitled, as was believed, to full credit, that the petitions had been granted, and that it had been made the duty of the Governor of West Florida, by an order of the King and Council, to carry them into effect. This news, so animating to thousands, resulted in a meeting of those most deeply interested, at Hartford, in Connecticut, in November of the same year. An association was formed, styled the "Military Company of Adventurers," and a resolution adopted to send an exploring party to examine the quality of the lands, make selections, and transact such other business as the interest of the company might require. Mr. Putnam being concerned in the affair, attended the meeting, and was chosen one of the explorers.

The necessary preparations for the voyage and service having been made, the exploring party sailed from New York in the month of January, 1773. During their passage nothing remarkable occurred; they, however, touched at Nichola Mole and Montego Bay, and arrived safely at Pensacola, in West Florida. From Chester, then Governor of that province, they soon learned that he had no instructions to set apart lands for the provincial troops, as had been represented. Amidst their disappointment and chagrin the Governor and Council treated them with much hospitality and attention, and even proposed making them a grant, having in view the

settlement of the country, on the most favorable terms in their power. The exploring committee declined the offer, having no authority to stipulate such an arrangement. Unwilling, however, to return without accomplishing any thing, and still flattering themselves that the Governor would in a short time receive such instructions as they had before their arrival anticipated, they resolved to prosecute the expedition. To enable the party to make such surveys as they might think proper, and to protect them against Indian aggression, Mr. Putnam received from the Governor a commission as deputy surveyor of the province. Soon afterwards they proceeded to the Mississippi, and ascended it as far as the mouth of the Yazoo, examining the lands on its margin. It had been their intention to explore the lands much higher up; but finding by observation that the river was entirely north of the Florida line, and being well assured they would meet with opposition from the Indians, who had already given indications of hostility, they abandoned the idea of a further ascent. Finally they made a location including the mouths of Loosocherto, or Big Black, and Stone creeks, a little below the Walnut hills. Here, finding such a tract of land as met their wishes, they surveyed nineteen townships, and returned to Pensacola.

About this period, considerate and reflecting men who were observant of the relations existing between England and her American colonies, believed the time was near when a rupture must inevitably take place. On the one side a disposition to oppress was witnessed, and on the other a temper to resist. Reconciliation appeared impracticable, and what was foreseen soon ended in reality.

On the 19th day of April, 1775, the battles of Lexington and Concord were fought, which led to immediate and open hostilities. Among the first who took up arms in the defense of their country, was Mr. Putnam. The estimation in which he was held at the time may be inferred from the circumstance of his receiving the commission of Lieutenant Colonel in Brewer's regiment, one of the first that was raised.

When by the simultaneous movement of the American troops it seemed determined to invest Boston, then the head

quarters of the British forces, Col. Putnam with his regiment pressed on to the scene of action, and took post, by command of General Thomas, on the right wing of the army at Roxbury.

The result of the battle at Breed's, or Bunker's Hill, on the 17th of June, however creditable to the American troops, afforded satisfactory proof that men, however brave, but undisciplined and badly armed, can make but feeble defense against a sudden attack. Fearful that the enemy might make a sortie, and believing that the continuance of the American army before Boston depended in some degree upon their security, the general and field officers were convened in council. The conclusion was unanimous to throw up a line of defenses so as completely to invest the place by land, and thus give them an advantage of the enemy in case an attempt should be made to penetrate their lines. Colonel Putnam was selected as the person best qualified for the execution of this work. His ambition, however, leading him to retain his post in his regiment, and a consciousness of his incompetency to perform so important a work, induced him to decline the appointment. The experience which it was supposed he had acquired in the French war, the urgency of the case, and the claim which his country had to his services, in whatever capacity he might be useful, were urged upon him with great force. Willing, in the end, to exert his talents in the discharge of such duties as might be assigned to him, with some reluctance, he complied.

At this period, the American officers, with the exception of a few individuals, were totally ignorant of war as a science. It is probable that the exigencies of their situation at that time, first prompted them to engage the services of an engineer. They had a knowledge of their wants, but scarcely knew how to have them obviated. They needed defenses, but lacked skill and implements to construct them. Without delay, however, Colonel Putnam entered upon his new duties, in tracing out lines in front of Roxbury, at Sewell's Point, &c., and made rapid progress, considering the disadvantages under which he labored. On the 3d of July, General Washington was appointed Commander-in-Chief by Congress, and

soon after arriving in the vicinity, he established his headquarters at Cambridge. As the completion of the work was with the Commander-in-Chief a matter of much solicitude, it soon led to an acquaintance between him and Colonel Putnam. The manner in which it was projected, and the spirit with which it was carried on, met his hearty approbation, as well as that of General Lee, by whom he was accompanied, and made upon his mind impressions of Colonel Putnam's usefulness which were never effaced.

In the winter of 1775-6, General Washington determined, if possible, to compel the British to evacuate Boston, to come out of their works and give him battle, or that he would attempt a reduction of the place by storm. It was believed the success of either of the two first schemes depended materially on making a lodgment on Dorchester Heights, a position on the right of the American army, overlooking and commanding the enemy's works in Boston, and the shipping in the harbor. The accomplishment of the latter scheme appeared less practicable—indeed, was out of the question, unless the town could be assaulted at a variety of points simultaneously, which could not take place unless Charles river should become so frozen as to bear the passage of troops. Every thing considered, the resolution of possessing Dorchester Heights was taken; and, late in the month of February, the General had a very free conversation with Colonel Putnam on the subject, suggesting the impossibility of throwing up works in the ordinary way, as the ground was so deeply frozen. The next day a report, embracing the views of Colonel Putnam, was made to the General; which, appearing reasonable, were approved. Preparations were forthwith made for carrying them into effect, which was done under cover of the night of the fourth and fifth of March, and of a heavy cannonade from the American lines upon the town. An unsuccessful attempt to dislodge the Americans from this eligible position, rendered the evacuation of Boston by General Howe indispensable.

Believing that the destination of the British forces was New York, and knowing that city to be almost wholly defenseless, and that it must fall into their hands unless great

vigilance and industry were used, General Washington dispatched Colonel Putnam to that place, where he arrived on the 20th of March. As chief engineer he superintended the laying out and construction of all the defenses in that part of the country during the campaign of 1776. He was incessantly occupied on Long Island, at New York and its dependencies, at Fort Washington, Fort Lee, Kingsbridge, and other points, as laid down in the plan of New York accompanying Marshall's Life of Washington.

As soon as the enemy had left Boston, which was on the 17th of March, and General Washington had arranged the future movements of the army, he hastened to New York. Here the dispositions made by Colonel Putnam for the safety of the place were so judicious, as appear to have inspired the General with great confidence in his skill and activity. The position of the British squadron rendering it probable that a descent upon New York was contemplated, General Washington ordered Colonel Putnam to that quarter; and in writing to Congress, on the 10th day of July, 1776, he says: "I have sent over our chief engineer to view the ground in the neighborhood of Amboy, and to lay out some necessary works for the encampment of the flying camp, and such as may be proper at the different passes in Bergen Neck and other places."

In August, 1776, Colonel Putnam received from Congress an appointment as Engineer, which was announced to him by the Commander-in-Chief. The appointment, as made at the time, is in these words in the journal: "*Resolved*, That Lieutenant Colonel Rufus Putnam be appointed an Engineer, with the rank of Colonel and pay of sixty dollars a month."

To the stock of information which Colonel Putnam had acquired in the French war in the science of engineering, having added that of two campaigns in the continental service, he stood high in this department. In the course of his practice he derived much knowledge from books on the subject, as well as from officers of distinction with whom he associated. Deeply impressed with the policy of establishing an engineer department, he submitted to the Commander-in-Chief his ideas of a system which, he believed, would essen-

tially subserve the cause of his country. . On this subject, Washington addressed Congress a letter, dated the 5th of September, 1776, in the following words: "I have taken the liberty to transmit a plan for establishing a corps of engineers, artificers, &c., sketched by Colonel Putnam, and which is proposed for the consideration of Congress. How far they may incline to adopt it, or whether they may choose to proceed on so extensive a scale, they will be pleased to determine. However, I consider it a matter well worthy their consideration; being convinced, from experience and the reasons suggested by Colonel Putnam, who has acted with great *diligence and reputation* in the business, that some establishment of the sort is highly necessary, and would be productive of the most beneficial consequences."

In another letter, which he addressed to Congress on the 20th of December following, having in the mean time been notified by Colonel Putnam of his resignation, and his acceptance of the command of a regiment in the Massachusetts line, General Washington observes: "I have also to mention, that for the want of some establishment of engineers agreeable to the plan laid before Congress in October last, Colonel Putnam, who was at the head of it, has quitted, and taken a regiment in the State of Massachusetts. I know of *no other man* tolerably well qualified for the conducting of that business. *None* of the *French gentlemen* whom I have seen with appointments in that way, *appear to know any thing of the matter.*"

In January, 1777, Colonel Putnam returned to Massachusetts, to recruit, organize, and take command of the regiment, as he had been invited. This very laborious task was not completed so as to enable him to take the field at an earlier day than the month of July following.

In August, General Schuyler was superseded, and the command of the northern army given by Congress to General Gates. At this time the hostile armies, being nearly equal in point of numbers, approached each other. On the 19th day of September, the battle of Stillwater was fought. The contest was an obstinate one on both sides, and although indecisive, served in some degree to animate the American

troops, who, for some time, had been dispirited by disaster and retreat. On the 8th of October, in a general engagement at Saratoga, they gained a most signal victory. The British were every where repulsed, and a part of their lines occupied by their adversaries. The loss of Burgoyne was great in killed, wounded, and prisoners, while on the other side the damage sustained was comparatively inconsiderable. The dangerous situation of Burgoyne induced him to retire in the night to a stronger camp; but the measures immediately taken to cut off his retreat, compelled him to regain his former position at Saratoga. The alarming scarcity of provisions, and the impossibility of transporting the cannon, baggage, &c., in the direction of Canada, determined the British General in favor of a rapid retreat with such articles as the soldiers could carry without hindrance. Upon examination, however, it was fully ascertained he could not even avail himself of this mortifying resort. The utmost care had been used to place strong guards at the passes through which his rout lay, to remove which, artillery would have been indispensable. In this hopeless situation he requested a parley, which took place on the 16th of October, and eventuated in the surrender of his army, consisting of 5,000 well disciplined troops. Besides, all the frontier fortresses were immediately abandoned to the victors.

It is not easy to estimate the influence of these happy occurrences upon the cause of the revolution. They happened at a gloomy period, when something was needed to cheer and invigorate the soldier and patriot. Many writers of intelligence have considered the surrender of Burgoyne as decisive of the contest, as from that time a change of fortune favorable to the Americans and adverse to the British evidently appeared.

Had Colonel Putnam been aloof from these transactions, their recital would have been superfluous. From the time of his joining the northern army he had been actively employed. He fought under Arnold in the battle of Stillwater, in September. In the action of the 8th of October, which had such an immediate bearing upon the capture of Burgoyne, he particularly distinguished himself. His post was at the

head of the 4th and 5th regiments belonging to General Nixon's brigade, in front of the works occupied by the "German Reserve." This "Reserve" constituted a strong force in advance of the right of Burgoyne's main encampment. General Larned with his brigade was stationed on the left, and had instructions to attack the right and flank of the enemy's works. When the order was given to carry them by storm, Colonel Putnam with his command advanced rapidly on the front, and was successful at the moment General Larned entered on the right. Colonel Brechman, who commanded the "German Reserve," being killed in the assault, the conflict was of short duration. As soon as the contest at this outpost was terminated, Colonel Putnam formed his regiments in order of battle and took a position on the right of the main encampment, leaving General Larned in the rear to secure the pillage of those already conquered; and this position he maintained through the night until nearly day, when he was joined by General Glover's brigade of three regiments, detached from the right wing of the American army.

A few days after the surprise of Stony Point, Colonel Putnam was appointed to the command of a regiment in General Wayne's brigade, where he served until the end of the campaign. In consequence of the southern States becoming the great theater of hostilities, the campaigns of 1780, '81, and '82, in the north, were less interesting. This approach to quietude and peace enabled Colonel Putnam to devote some attention to his long neglected private affairs. It is true, however, that in the summer of 1781 he had the command of a strong detachment in front of the American lines east of the Hudson, to cover and protect the country against aggression. Occasionally he was absent from the army, delegated as an agent to the Legislature of Massachusetts, to solicit relief for their officers and soldiers.

In 1782, he was appointed one of the Commissioners to adjust the claims made for pay by the State of New York, in consequence of losses occasioned to the citizens by the allied armies of France and America. Whence he derived this appointment, does not appear. Upon this point the journals of Congress have been consulted, but they are silent. The

duties he was required to perform were difficult and embarrassing, and occupied his attention from February until July.

Generals Larned and Nixon, who at the capture of Burgoyne had the command of the two Massachusetts brigades, not long afterwards resigned their commissions and withdrew from the service. The unaccountable delay which ensued in filling these vacancies, induced Colonel Putnam to think of withdrawing also. It is true there were two Colonels older than himself, and had stronger claims to promotion; still there was something in the unexplained procrastination wounding to the sensibilities of a highminded soldier. In the latter part of the year 1782, he had leave of absence from his regiment. About that time understanding that Congress had it in contemplation to reduce the army, he considered it a suitable moment to tender his resignation.* Of this determina-

* About this period the journals of Congress show that the general condition of the officers presented many vexed questions. It is not my purpose to trouble the reader with the various reports made and discussed, some of which were adopted, and others rejected. It is my duty, however, to make such extracts as relate to Colonel Putnam's *position* at that time.

December 4th, 1782, a motion was made by Mr. Osgood, seconded by Mr. Gilman, as follows: Whereas it appears that there are two brigades of troops of the Massachusetts line now commanded by Colonels; therefore, resolved, that Colonel John Groaton and Colonel William Shepherd, the two senior Colonels in the Massachusetts line of officers, be, and hereby are, promoted to the rank of Brigadiers General in the army of the United States. The motion was lost.

December 12. On the subject of the future promotions of Colonels or Lieutenant Colonels Commandant to the rank of Brigadiers; Resolved, that the army of the United States shall be classed in the following divisions: the eastern, middle, and southern. The troops of Massachusetts, Rhode Island, and Connecticut, shall form the eastern, &c. That whenever it shall be deemed necessary for the command of troops in service, to appoint Brigadiers in any State or States, where the number of troops in the field are sufficient to form one or more brigades, the Brigadiers shall be appointed from the senior Colonels or Lieutenant Colonels Commandant in the lines of such States; and when Brigadiers shall be wanted to command brigades within any of the divisions composed of the troops of such States, who have not individually numbers in the field to form a brigade, the Brigadiers shall be appointed from the senior Colonels or Lieutenant Colonels Commandant in such brigade.

January 7, 1783. Resolved, that Colonels John Groaton and Rufus Putnam, of the Massachusetts line, be promoted to the rank of Brigadiers General, agreeably to the resolution of the 12th December, 1782.

tion he advised General Patterson, who made a communication on the subject to the Commander-in-Chief, when the latter addressed him a long letter, dated the 2d of December, dissuading him from the step. Things in the end became so changed, that on the 8th of January, 1783, he was honored with the commission of a Brigadier General.

In April of the same year, he was appointed by Governor Bowdoin a Justice of the Peace; and in May, was elected by the town of Rutland a member of the Legislature. In July, Messrs. Cutler and Sargeant, members of the Ohio Company, opened a correspondence with the "Board of Treasury," having in view the purchase of a million of acres of land, and in October the contract was made. In November, the directors of the company appointed General Putnam superintendent of all business relating to their contemplated settlement on the Ohio.

On the 7th of April, 1788, with about forty others, he commenced the first permanent settlement in the eastern division of the Northwestern Territory. They located themselves immediately above the mouth of the Muskingum river, and founded the village of Marietta. From so small a beginning, he lived to see a flourishing State, comprising 65 counties, and containing a population of about 700,000. In 1789, President Washington appointed him a Judge of the Supreme Court of the Territory.

On the 5th of May, 1792, he was appointed a Brigadier General in the army of the United States destined to act against the Indians. The instructions which he received from the Secretary of War directed him "to attempt to be present at the general council of the hostile tribes about to be held on the Miami of the Lake, in order to convince the Indians of the humane disposition of the United States, and thereby to make a truce or peace with them." On his arrival at Pittsburgh, on the 2d of June, he dispatched two Indian prisoners to their countrymen, with a speech, notifying to them the object of his mission, and requesting them to open a path to Fort Jefferson, where he proposed being in about twenty days. His arrival at Fort Washington, now Cincinnati, took place on the 2d of July, a few days later than he had antici-

pated. There he learned, that on the very day he had informed the Indians at Pittsburgh he expected to make Fort Jefferson, about one hundred warriors attacked a party of whites in the vicinity, and captured sixteen. This occurrence left no doubt on his mind that their object had been an attack upon himself. Other circumstances tending to confirm this suspicion, and the manifestly hostile temper of the Indians in that section, satisfied him that all attempts at reconciliation must prove abortive. In this state of things, he determined to go farther west, where the Indians were more peaceably inclined. Accordingly, he proceeded to Post Vincent, (Vincennes,) where, on the 27th of September, he concluded a treaty with eight tribes. This arrangement, considering the period, and the exposed situation of an extensive frontier, was very important, as it served to weaken the forces of the belligerent party.

Two days before the signing of this treaty, General Putnam was taken sick, which so retarded his return that he did not reach Marietta until the 18th of December. On the 13th of February, 1793, he arrived in Philadelphia, and made a report of his proceedings to the Secretary of War. At the same time, so much was his health impaired that he tendered his resignation. In reply, he was favored with the following letter:

“WAR DEPARTMENT, *February 15, 1793.*

“SIR—Your letter of yesterday has been submitted to the President of the United States. While he accepts your resignation, he regrets that your ill health compels you to leave the army, as he had anticipated much good to the troops from your experience as an officer. He has commanded me to tender you his thanks for the zeal and judgment manifested in your negotiation with the Wabash Indians, and your further endeavor towards a general pacification. I am, sir, with great esteem, your obedient servant,

“H. KNOX, SEC. WAR.”

In the April following peace was proclaimed, and the officers and soldiers generally retired on furlough, although they were not finally discharged until in November.

The embarrassed condition of the Treasury of the United States, and a desire to see the vacant lands in the west reduced to a state of cultivation, influenced Congress in the month of May, 1785, to pass an ordinance for the disposition of the lands in the Northwestern Territory. By a provision of this ordinance, a surveyor from each State was to be appointed by Congress, to divide the Territory into townships, &c.; and on the 27th of May, General Putnam was appointed for Massachusetts. As, however, he was then employed by that State in the same line of business, it was impossible for him to proceed westwardly before the ensuing spring. That no inconvenience might result to the public from his absence, his intimate friend and brother officer, General Tupper, was, at his request, substituted for a time.* The indulgence extended to him on this occasion, is abundant evidence of the respect in which he was held by the highest authority of the country.

The hostility of the Indians in the northwest entirely frustrated the intention of Congress that year. It being impossible for the surveyors to proceed without exposing themselves to certain destruction, General Tupper returned home without having made any progress. The accounts, however, which he and others gave of the country, were so favorable as to inspire General Putnam with a wish to become an adventurer in it. In January, 1786, he and General Tupper, through the medium of the public prints, invited a meeting on the 1st of March, in Boston, of such citizens as were inclined to form an association for the purchase of wild lands in the west. A meeting was accordingly held, and a society formed, denominated the "Ohio Company," and articles adopted as the basis of the intended purchase. In April,

* July 18, 1785. On motion of the delegates from Massachusetts:—Whereas Mr. Rufus Putnam, appointed a surveyor under the ordinance of the 20th of May, from public engagements with the Commonwealth of Massachusetts, cannot attend the business of his appointment during this year; Resolved, that Mr. Benjamin Tupper be, and hereby is, appointed a surveyor, with authority to perform the duties of that office, until Mr. Putnam shall actually join the geographer and take the duties upon himself. *4th Vol. Journals*, p. 547.

General Tupper again proceeded to the west, to execute surveys agreeably to the ordinance of Congress, and General Putnam became busily occupied in bringing his operations in Massachusetts to a close, that he might follow him as speedily as possible. It was not long, however, until the Legislature of his native State made another demand upon his services. Desirous of negotiating a treaty with the Indians in the eastern section of that State, they deputed him, in conjunction with General Lincoln and Judge Rice, of Wiscasset, for the purpose. The duties of this commission were accomplished in the months of August and September.

In the month of January, 1787, the insurrection headed by Shays, and other factious spirits, broke out. To restore order and tranquillity, General Lincoln was placed at the head of an army composed of between four and five thousand militia. On this occasion, General Putnam was his volunteer aid, and continued with him until the insurgents were dispersed, at Petersham, and insubordination quelled.

In October, 1796, he was appointed Surveyor General of the United States, and ably and faithfully discharged the complicated and arduous duties of that office until September, 1803, when he was removed.

On the 30th of April, 1802, Congress passed an act to enable the people of the eastern division of the territory northwest of the river Ohio to form a Constitution and State Government. By this act, the members of the Convention were to be elected on the second Tuesday of October following, and to convene at Chillicothe on the first Monday of November. To the county of Washington, within which General Putnam resided, four delegates were allotted. He was solicited to permit the use of his name at the polls, to which he consented, and was duly elected. At the time appointed, he took a seat in the Convention, of which he was an efficient and useful member; and the Constitution of Ohio received his approbation, and bears the sanction of his name.

From this period, his advanced age leading him to decline all business of a public nature, he sought the quiet of domestic life. In the shades of retirement, however, his usefulness did not cease. The varied scenes of a long and active

existence; his continued anxiety to improve the condition of his fellow men, had ennobled his mind: and when he did retire, he retired with a soul full of benevolence and kindness to all the world. If he did often witness human misery in its most striking forms, the native sensibilities of his heart were not weakened. Compassion was a quality of his nature, improved, as all the more godlike feelings are, by exercise. Having at an early period become a professor of religion, he added to a mind alive to moral obligation the lights of genuine piety. He was careful to learn, and scrupulous to fulfill, the duties which he owed to God and man. By his services and exertions he secured a desirable competence; which, as his habits were those of plain frugality, enabled him to perform many acts of useful liberality. To purposes of education and piety, his hand was always open. Judicious solicitations were never disregarded. In doing good he was unostentatious, shunning the applause awarded to merit. At length, great age, and its consequent infirmities, gave omen of his approaching dissolution. The admonition disturbed him not. He looked to the event with the happy serenity and composure of a Christian and soldier. In his last moments, as through his life, he proved that "a Christian is the highest style of man."

General Putnam died at Marietta, on the 1st of May, 1824, at the age of 86.

In person, he was tall, and of commanding appearance; muscular, bony, and athletic; eminently fitted for the hardships and trials of war. His mind, though not brilliant, was solid, penetrating, and comprehensive, seldom erring in conclusions.

WILLIAM A. TRIMBLE.

Captain James Trimble, the father of William A. Trimble, emigrated with his family from Augusta county, Virginia, to Kentucky, as early as 1783 or '84. He was an enterprising man; possessed of a strong mind, and cherished an ardent desire to make such provision for his children as would place them in easy circumstances, and render them useful members of society. To accomplish his object, he knew there was not a more effectual method, than by exhibiting in his life an example worthy of imitation. His eulogies on the benefits of industry, honesty, sobriety, and all the other virtues, were not a few, nor cold. To sustain and enforce these parental lessons, he frequently made reference to his acquaintances whose condition afforded apt illustration. In his efforts to train up his offspring in the way they should go, he was ably seconded by his excellent consort, whose zeal and powers were not inferior to his own.

Captain Trimble participated in the battle fought by the whites, under the command of General Andrew Lewis, and the Indians, in the year 17—, at Point Pleasant.

WILLIAM A. TRIMBLE was a native of Kentucky. He was born on the 4th day of April, 1786, within the present limits of Woodford county. When a lad, he was attacked by the white swelling, which occasioned extreme suffering. The skill of the ablest physicians in the country was exhausted in attempts to effect a cure. All their endeavors proving fruitless, it was seriously apprehended no relief was to be had except in amputation. In the end, however, he fell into the hands of an Indian doctor, who in the course of a few months effected a radical cure.

To this circumstance of his life the writer heard him advert, about one year before his death. After giving a history of the case, he remarked, with much interest, it was singular that gentlemen of much learning and science, who made the healing art their daily study, availing themselves of the improvements and discoveries of their predecessors, should have known so little of his disease; and that a man illiterate, per-

haps not able to read, should have had it so perfectly under his control. But, added he, the learned physicians are too much governed in their studies and practice by books, by rule, and fear to trust their own good common sense. Towards this benefactor of his youth he entertained feelings of kindness to which he could scarcely give utterance.

In the year 1802, Captain Trimble being deeply impressed with the idea that slavery was a great evil, and that he could not conscientiously retain his blacks in bondage any longer, extended to them the blessings of emancipation. After the adoption of this measure, so soothing to his feelings, and so much in accordance with the dictates of prudence and piety, he resolved to become the resident of a non-slaveholding State. Owning a valuable tract of land in the State of Ohio, on Clear creek, within two miles of the place where Hillsborough now stands, he began to improve it the year following, with a view to his future residence. In the year 1804, while busily engaged in making preparations for a removal, he took unwell, and died. This melancholy disaster delayed the emigration of the family until the next year. For some time before, William had been at school, acquiring the rudiments of a substantial education. To afford, however, what assistance he could, he accompanied them, and continued in Ohio until the next spring, when he returned to Kentucky to finish his education at the Transylvania University. After having prosecuted his studies faithfully in that institution for two years, he entered himself a student of law in the office of his friend, the late Judge Trimble, one of the most prominent jurists of Kentucky. In this gentleman he found an able instructor, whose success and popularity at the bar were a stimulus to his pupils. After receiving the benefits of his assistance for one year, he returned to Ohio, and wrote in the office of his brother, Allen, since Governor, then the Clerk of Highland county, until the month of November, when he took a situation in the law office of William Creighton, junior, Esquire, of Chillicothe. He remained one year there, and then visited the school of Mr. Neif, at the falls of the Schuylkill, near Philadelphia, where two of his younger bro-

thers were pupils. Mr. Neif had been a disciple of the celebrated Pestalozzi, and was then making an attempt to introduce into this country his method of instruction. To enable him to make the experiment, many individuals of wealth and influence were active in giving him countenance and patronage. Mr. Trimble was forcibly struck with the superiority of this system over all others of which he had any knowledge. The usual method appeared to him essentially defective in addressing itself almost exclusively to the memory, whereas the new one looked to reason and the judgment. He believed that lessons received through the process of reasoning were more likely to remain, and to enlarge those powers and capacities which elevate man so much above the brute. So much was he delighted with the institution, that, as a correspondent writes, "he became an assistant teacher, and remained one year, to acquire a knowledge of the plan." During this period he made many additions to his stock of scientific information. In learning how to teach, he was re-taught in many of the branches through which he had passed elsewhere. Mr. Neif's lectures and discourses in the hall and in the fields, to which he frequently retired with his pupils, to explore and unfold nature in her various operations, generated in Mr. Trimble, as it did in others, the habit of close thinking. The pebble, the flower, the insect, all in their turn, became the subjects of dissertation. Their laws, properties, uses, were scrutinized with a closeness and fidelity likely to produce an abiding impress, and creating a desire to see things as they are.

From Mr. Neif's school he proceeded to Litchfield, in Connecticut, and became a pupil in the late Judge Reeves' law school. At that time, this institution was considered as unrivaled for the advantages it afforded. The lectures evinced great ability, and were delivered in a manner to make them highly useful. After spending a few months at this school, he returned to Ohio, and received license to practice law. Although Highland county did not give promise of much business in his line, he preferred making it his permanent residence, on account of his numerous relations living

there, and a farm which he owned, near Hillsborough. He engaged in the profession with spirit, and had a fair prospect of a full share of business in Highland and the adjoining counties.

In the month of April, 1812, the President of the United States made a requisition upon the Governor of Ohio for twelve hundred volunteers, to serve for one year. The reasons which existed for raising this corps, received much consideration from Mr. Trimble. The battle fought at Tippecanoe, in the month of November preceding; the hostile temper of the neighboring Indians, and the apprehended rupture with England, enlisted his feelings. Knowing that his country had been seriously injured, and that all hope of redress by negotiation was annihilated, he felt inclined to yield his assistance in avenging the wrongs. Under deep patriotic excitement, he used every argument of which he was master, to induce his friends and neighbors to offer their services. His efficiency and influence were obvious, and became the subject of favorable remark. Although the quota of men which Highland was required to furnish was but one company, still, such was the inclination to volunteer, that two full ones were raised. At the general rendezvous at Dayton, on the 7th of May, Mr. Trimble was elected to the command of a battalion composed of troops from the counties of Adams, Franklin, and Highland. This promotion was considered as a compliment to him for the ardor he evinced in the cause of his country.

After the surrender of General Hull at Detroit, Major Trimble returned to Hillsborough, on his parol of honor, but was too much interested in the events of the war, which was then declared, to think of appearing at the bar. Law books were discarded, and those which treated of the art of war were his favorites; and with his knowledge of tactics, increased his fondness for arms. Having no capacity for the enjoyment of domestic quietude when his country was disgraced and was seeking to retrieve her losses, he visited General Harrison's head quarters at St. Marys, about the last of September, solicitous of employment not incompatible with his engagements to the enemy. About that time the General

had it in contemplation to form a mounted corps: but having received information that the number would fall more than a thousand short of what he deemed necessary to accomplish the object he had in view, he determined to wait until a reinforcement could be obtained. To Major Trimble, as well as to some other gentlemen, he gave letters of instruction to raise mounted volunteers; and such was his industry, that in ten days he returned to St. Marys with 600, raised in Adams and Highland counties.

In the mean time the General abandoning the idea of the expedition, was disposed to retain the troops in service, and assign to them the performance of other important duties. They were organized into a regiment, and upon the choice of field officers, Major Allen Trimble was appointed Colonel; and he appointed his brother William Adjutant.

At that time the intercourse with Fort Wayne was attended with great danger, being constantly interrupted by small parties of Indians. With a view to obviate in some degree this inconvenience, and to make an impression upon them in their own country, General Harrison gave orders to Colonel Trimble to proceed to Fort Wayne, and thence to the villages of the Potawatomes on the St. Joseph.

The destination of this corps being soon known, or conjectured, gave rise to complaints. The want of forage, which, it was said, had been promised, and the supposed inadequacy of the force, presented the grounds of dissatisfaction. To restore harmony, Colonel and Major Trimble both addressed the regiment, drawn up in a hollow square. They made such appeals to the pride and patriotism of the men, as to succeed. Upon arriving at Fort Wayne, about the tenth of October, many of the officers and men from Adams county protested against advancing farther into the enemy's country, anticipating nothing but defeat and disaster. Cases of discontent, murmur, disobedience, and insubordination, almost hourly occurred. The same officers were untiring in their efforts to tranquilize the disaffected, but not with the same success as on the former occasion. Much spleen was vented against Major Trimble, who it was charged had given pointed assurances that forage would be furnished, and that for the want

of it many of the horses could proceed no further. On this point there was some misapprehension. Major Trimble, when inviting the citizens of Adams county to volunteer, did intimate that General Harrison would provide the troops with forage; meaning, without doubt, while in the interior, and their departure from St. Marys on the original contemplated expedition, which some believed was intended to expel the British from Michigan. It was presumption to say the promise could have extended to supplies in the wilderness, where no stores existed but those furnished by nature, consisting of beech limbs and prairie grass. As the campaign on which Colonel Trimble was ordered was not expected to exceed twelve or fifteen days, the commanding General thought it inexpedient to yield other accommodations than rations for the men. All explanations, arguments, importunities, and menaces, were unavailing. The inexperience and temerity of the Colonel, the infidelity of the spies, debilitated horses, the certainty of a meeting with the enemy, an undoubted defeat, and savage cruelty, created reasons not to be answered. After a delay of two days of subterfuge and hesitation, the disaffected, to the number of about 300, returned homeward. This diminution of force interfered so essentially with the purposes of the Colonel, as to eventuate in the abandonment of the enterprise. Understanding, however, that on Eel river there were corn, potatoes, and other esculents, which might afford the Indians subsistence for a time, he marched in that direction with the remainder of his troops. After consuming and destroying such articles of this description as were found, he returned to Fort Wayne, and immediately proceeded to head quarters, where the men were discharged.

During this expedition, unprofitable as it may seem to have been, Major Trimble was highly useful. No man could have been more efficient than he in the discharge of not only his own appropriate duties, but even those of other officers. He aided in the selection of grounds for encampments, in marking the boundaries, posting sentinels, detailing guards, and determining the order of march. All these duties being new to the officers and men, his experience was of vast importance. Although there was no great danger of an attack from

the Indians, still circumspection was indispensable. It may truly be said of him, that he was incessantly on the alert, and set an example of forecast and vigilance worthy of imitation. In cases of alarms at night, and they were not a few, the commandant and he were instantly ready to place the men in an attitude to meet danger.

Some time in the winter following he was exchanged, and in the month of March received the commission of Major in the twenty-sixth regiment, which was to be raised in the western section of the State. After being employed in the recruiting service until November, he was ordered to attend, as a witness, the trial of General Hull at Albany, where he remained until about the first of March, when he returned, and was again charged with the business of recruiting. The recruits of the 26th and 27th regiments having been consolidated, formed the 19th regiment, in which he was retained. In May he received orders from General Harrison to proceed to Frankfort, in Kentucky, to conduct the British prisoners of war, who had been captured at the battle on the Thames, to the Niagara frontier, in pursuance of an arrangement of exchange. Upon the performance of this duty, in June, he reported to General Brown.

Once more Major Trimble was placed in a situation likely to test his patriotism and gallantry. The scene of action on the Niagara frontier had become highly interesting, and at that time engaged the anxious attention of the country. After the expulsion of the enemy from Michigan and Lake Erie, and his overthrow on the Thames, the field of operations in the North was much circumscribed. The arrival of troops from England who had fought in the peninsular war under distinguished Generals; troops highly disciplined, and familiar with renown, claiming to be "invincible" from the frequency of victory, gave spirit to the foe, already formidable. This fearful array of force was met by corresponding preparation and energy. The issue of the battles at Chippewa and Niagara, however, demonstrated most clearly that the boasting "invincibles" had met with their masters.

General Gaines had been assigned to the command of Fort Erie by General Brown, who, in consequence of his wounds,

found it necessary to withdraw from the service for a time. This post was new, and injudiciously constructed for defense. The main reliance was upon the intrepidity of the garrison. To repair some of his recent losses, and invigorate his troops, General Drummond evinced a determination to make an attack; and accordingly, on the 7th of August, he opened a cannonade from his batteries. The firing was kept up almost incessantly until the night of the 14th, when, from the increased activity, General Gaines became satisfied an immediate assault was meditated. In a short time, the proof left no doubt. As the enemy advanced, some cartridges within the American works were exploded by a shell, which induced the assailants to raise the shout of victory. To this accident they attached an undue importance, of which, in a few minutes, they were undeceived. The assault was made by three columns. The first, receiving a heavy discharge of grape from Captain Towson's company of artillery, was compelled to retreat with considerable loss. The New York and Pennsylvania volunteers repulsed the second; and the third, consisting of eight hundred chosen men, commanded by Colonel Drummond, a most daring and intrepid officer, was not so easily disposed of. The blockhouse near the salient bastion was occupied by Major Trimble, who aided Major Hindman most essentially in repulsing him. This indefatigable officer, although obliged to recoil three times, was unwilling to give up the contest. "Availing himself of the darkness of the hour, which was increased by the smoke, he stole silently along the ditch, and suddenly applying his ladders, once more rapidly gained the parapet, crying out to his men to rush forward, and *give the Yankees no quarters*. This order was faithfully executed; and the most furious strife now ensued that had been witnessed since the commencement of the assault." The denial of mercy under such threatening circumstances, was calculated to produce desperation on the part of the besieged. To surrender, was instant death; to fight as long as an arm could be raised, could eventuate in nothing worse. This state of things offered to the brave no alternative. Although Colonel Drummond had gained possession of the bastion, he could advance no further; and from that

position the skill and valor of Majors Hindman and Trimble were unable to dislodge him. This was mainly owing to the narrowness of the passage leading to the bastion. What could be done by brave men to effect this purpose, was done. Captain Williams was mortally wounded; Lieutenants Watmough and McDonough severely. To the call of the latter for quarters, Colonel Drummond uttered the most positive denial, again reiterating his savage orders, to spare none. Stung by the ferocity of this reply, the gallant invalid, seizing a handspike, made defense with the fury of despair, until he was shot dead by his unrelenting adversary, who himself was permitted to survive but a few minutes. "The enemy still maintained their position, notwithstanding the death of their leader, and repulsed every attempt to dislodge them, until day-light. They had, in the mean time, suffered excessively; and the contest along the whole line of defenses, with this exception, having ceased, considerable reinforcements were ordered up. The enemy began at last to recoil, and many were thrown over the bastion. The British reserve was now expected to come up to their support. The cannon of the Douglass battery enfiladed their approach, and the artillery of Lieutenant Fanning played upon them with great effect. A part of the reserve was about to advance, when an explosion took place under the platform which carried away the bastion and all who were on it. The reserve fell back, and the contest, in a short time, terminated in the entire defeat of the enemy."

The British, notwithstanding the failure of this bloody assault, resolving to reduce Fort Erie, took measures forthwith to effect this object. Having received considerable reinforcements, their policy was to operate by regular approaches. Their industry and perseverance were unremitting, and gave proof of ultimate success, unless countervailed in season. Aware of these preparations, General Brown, who had nearly recovered of his wounds, was not less spirited in the increase of his forces and the security of his works. Cannonading was occasionally kept up, and skirmishes occurred; but nothing took place changing the general aspect of things until the evening of the 17th of September. Two heavy batteries

having been constructed about five hundred yards from the American lines, at points of great annoyance, and a third being ready to open in a direction to do much harm, General Brown conceived the idea of a sortie. His declared purpose was "to storm the batteries, destroy the cannon, and roughly handle the men on duty, before those in reserve could be brought into action." The forces of the enemy consisted of three brigades of 1,500 men each, one of which, with a detail from the artillery, were at their works, and the others at their encampment, distant two miles. Says General Brown, in his report of this affair, "General Porter, with the volunteers; Colonel Gibson, with the riflemen; and Major Brooks, with the 23d and 1st infantry, and a few dragoons acting as infantry, were ordered to move from the extreme left of our position upon the enemy's right, by a passage opened through the woods for the occasion. General Miller was directed to station his command in the ravine which lies between Fort Erie and the enemy's batteries, by passing them, by detachments, through the skirts of the wood; and the 21st infantry, under General Ripley, was posted, as a corps of reserve, between the new bastions of Fort Erie;—all under cover, and out of the enemy's view."

About three o'clock the left columns, under the command of General Porter, who were destined to turn the enemy's right, being within a few rods of the British encampment, were ordered to advance and commence the action. General Miller was instantly directed to seize the moment and pierce the enemy's intrenchment between batteries numbers two and three, which was promptly done. Within thirty minutes after the action began, batteries numbers three and two in the enemy's line of intrenchments, and his two blockhouses, were taken. Number one was abandoned by the British—the guns of all spiked or destroyed, and the magazine of number three blown up. In one hour of close action two thousand troops, one half being militia, achieved the object of the sortie, destroying the fruits of near fifty days' labor, and diminishing the enemy's strength at least one thousand.

Major Trimble was attached to General Miller's corps, was very active in the discharge of his duties, and was noticed in

favorable terms as an officer entitled to distinction. Colonel Aspinwall having been disabled by the loss of an arm, "the command devolved upon Major Trimble, who, at the head of his troops, gallantly rushed forward, sword in hand, carried battery number two, and spiked the cannon. Not content with this achievement, he pursued the retreating enemy, who being reinforced, renewed the fight with desperate valor; and while animating his men by words and actions to deeds of gallantry, he was shot through the body." Severely as he was wounded, he did not fall, but after walking a considerable distance, and becoming faint, he was relieved by a soldier, who carried him to the American lines. The ball passed through, and would have perforated his lungs, as his physician believed, but that they were at the time in a state of collapse. There was nothing to authorize the hope of his recovery from this alarming wound. Contrary, however, to the fearful apprehensions of his friends, his health was so far restored that in the winter following he returned to Hillsborough, much to the joy of his relations and acquaintances. About this time the brevet rank of Lieutenant Colonel was tendered to him, as a testimonial of the estimate put upon his military services.

Upon the reduction of the army to the peace establishment, he was arranged to a command in the eighth regiment of infantry, which performed duty at different points on the Mississippi, Mobile, and Red rivers. For some months he was stationed at New Orleans, where his correct deportment and urbanity secured to him the good will and hospitality of the more respectable inhabitants. He was subject, frequently, to indisposition from his wound. Exposure to the inclemency of the weather, and fatigue, generally affected him so seriously as to render the use of medicine necessary. Having thoughts of withdrawing from the army, in the month of June, 1818, he went to Washington City, to have his accounts settled. In September he visited Hillsborough, intending to spend the ensuing winter among his relations. As the Senatorial term of Mr. Morrow would expire on the 3d of March, 1819, and he was unwilling to be a candidate for re-election, Colonel Trimble was advised to permit the use of his name: the result was, his success over one of the most prominent

citizens of the State. Soon afterwards, he resigned his situation in the army.

In December, 1819, Colonel Trimble took his seat in the Senate, and very soon gave promise of much future usefulness. Becoming a member of one of the most august bodies in the world, under such flattering circumstances, excited him to the highest pitch of industry. Having distinguished himself in the battles of his country, and obtained an imperishable name on the page of history, he found a new field opened, in which other honors might be won. His intercourse with books, and gentlemen of the loftiest grade of intellect, offered the means of improvement, which he seized with eagerness.

Of civil and political affairs he had a general knowledge; such as is common to gentlemen making pretensions to literature. He soon became satisfied that other acquisitions were necessary—that the attainments of the practical politician must embrace a minute acquaintance with the Constitution and laws, and the decisions made under them involving important principles and interests—that his inquiries must extend to the fiscal, naval, and military concerns of the country, in no wise omitting national law, and its connection with our foreign relations. To reach the accuracy desirable, he found no labor more profitable than that which was bestowed upon old records, journals, and public documents—repulsive in appearance, but rich as treasures of information. The situation of his own State, in an especial manner invoked his attention to a few subjects. These related to the public lands, internal improvements, and domestic manufactures; all of which were exciting topics at that time.

Thus did he progress, for two sessions of Congress, in advancing the public interest and storing his own mind with much useful knowledge. Though often depressed, in mental and bodily energy, by the ill effects of the wound he received at Erie, yet the elasticity of his mind, so susceptible of higher improvement, and the earnestness and assiduity of his application, sustained and qualified him for his exalted station. At length, however, nature yielded to the recurring shocks of disease; and on the 13th of December, 1821, he expired,

mourned by his friends, and regretted by all. The Senate and House of Representatives attended the funeral, after passing resolutions lamenting his death, and to wear crape for thirty days.

The following narrative, with a few alterations, is copied from the New York Commercial Advertiser, disclosing an adventure of Colonel Trimble which may well be denominated a "narrow escape":

"Soon after the late war, in order to check some hostile movements of the Mississippi Indians, our troops were concentrated near the point of danger, and Colonel Trimble was ordered to assume the command of the post at Natchitoches. Being charged with the conveyance of about thirty thousand dollars of public money from New Orleans, he made arrangements with an officer of the army to accompany him from Baton Rouge, to which place he had dispatched his servant. He set out from the city alone, on horseback; and after leaving the rich bottoms of the Mississippi, his rout lay through a wild and almost trackless forest, presenting lurking places for the banditti who infested the lower country at that time, practicing, successfully, their deeds of robbery and murder. Some forty or fifty miles above the city, the road passed through a swampy district near twenty miles, of the character of which he was not aware until his entrance. It was dark by the time he had penetrated five miles, and he had fifteen more to go before he could reach the first house. While moving forward with all practicable speed, his horse became alarmed and ungovernable, taught by the instinct of his nature that all was not right. The mystery was soon disclosed. Two men rushed from the canebrake, on opposite sides of the road, and made a bold effort to intercept him. Applying whip and spurs to his horse, he succeeded in eluding their grasp.

"He did not proceed far, however, before a light was seen in the direction of the river, and he determined to reach it, in the hope of finding a house where shelter and protection might be expected. Certain that he had been waylaid, the vicinity of the light suggested doubts of its proving a place of safety. Satisfied that it was hazardous to travel such a

road in the night, he diverged, and reached the house after some interruptions. The appearance of the wretched tenement confirmed his suspicions of its character. An aged man, who spoke Creole and broken English, was, apparently, the only inhabitant. The Colonel accosted him, and asked permission to stay during the night. After some hesitation, and confusion of manner, he assented, remarking, at the same time, that there were no accommodations for man or horse. The Colonel dismounted, resolving to risk every thing, and remain at this unpromising hovel. After confining his horse by the bridle to a swinging limb of a tree in a small inclosure, he took charge of his baggage, and entered. A scene was very soon presented which required all the coolness and self-possession which constitute true and useful courage. He had been in battles where armies nearly equal were engaged, each resolved on victory, bayonet clashing with bayonet, and the blood of valiant men flowing in torrents, appalling even to the courageous; yet at no period of his life was he ever placed in circumstances so trying.

“On his arrival, he was convinced the house was the rendezvous and very den of robbers, and had cause to apprehend, that although he had escaped a meditated outrage on the road, he might now become the victim of merciless cut-throats. Contrary to his expectation, the house was about a mile from the river, surrounded by a dense wood, exhibiting a gloomy aspect.

“There were two rooms in the principal building, into the largest of which he was conducted by the old Creole. At the Colonel's request, a female slave, who seemed to have charge of the domestic affairs, was directed to provide supper. After a short absence in attending to the comfort of his horse, he returned, and found that a footman, apparently a traveler, had arrived.

“In the absence of the host, the travelers had some conversation, in the course of which the footman suggested to the Colonel the propriety of being on his guard, as the appearances were very suspicious. The negress, also, while arranging the table for supper, manifested some solicitude, and expressions escaped her which were evidently designed

to be heard, and which confirmed his first impression. Just as the Colonel was about to take his seat at the table, the hasty and unceremonious entrance of three men into the room produced a momentary suspense; but, resuming his composure, he scrutinized them closely, and sat up to supper, which was placed on an old billiard table. The appearance of these men was as daring and ferocious as their manners were rude and familiar. They were evidently at home; and, laying aside their arms, except those which were ostentatiously displayed about their persons, took seats at the table. A glance of recognition towards the footman presented his character in rather a questionable light. The trio, however, were evidently the master spirits. Their whisperings, and suppressed conversation, in allusion to the guest, were too palpable to escape notice. A pack of cards were soon produced, and the three amused themselves in this way; whilst the Colonel, seemingly undisturbed, partook of a cold and unpalatable meal. After he had finished, the party requested him to engage with them at cards; which he politely declined, saying he did not play. They immediately laid aside their cards and entered into conversation, annoying him exceedingly with impertinent questions as to his rout and business. Wearing the uniform of the army, his rank was, of course, recognized. They asked him if he was not from Orleans? whether he was going to the military post on Red river? whether there was not a large detachment of troops there, and when they would probably be paid? if there were not large arrearages due to them? One of them presumed the money would be sent from New Orleans; and another suggested that probably he was paymaster to the army? These various and perplexing questions were promptly answered, with characteristic coolness, and generally without evasion. Studious to conceal all distrust of their object, and evincing a careless indifference, he succeeded in some degree in restraining their rudeness, and the subject was changed. While this conversation was going on, one of the gang was observed to recline on the floor, near the partition, where the Colonel's baggage was laid, which he used for his pillow. He was seen examining the saddlebags rather familiarly, as if to ascertain the

contents. Soon afterwards, two of the party took their rifles and left the house, without giving any explanation. The Colonel was now left with the Creole, footman, and one of the trio, who was evidently the leader of the band. It grew late; and requesting a bed, he was conducted by the old man, followed by the bandit, to a small building attached to the house. In going along a narrow passage, he stepped upon what he supposed was a trap door, which giving way, he sunk to his knees; but seizing a bench which happened to be near, he recovered, and proceeded without making any remarks. Upon reaching the apartment, he was pointed to a miserable cot, and immediately prepared to occupy it by taking off his coat and boots. The old man withdrew, leaving his suspicious companion behind, who proposed using an old settee in the same room as his couch, remarking, that beds were scarce. To this arrangement the Colonel did not think proper to object. Satisfied that a crisis was now approaching, he resolved to practice finesse, and in the event of a failure, to defend himself to the last with his dirk, the only weapon which he had. He was aware that his safety depended upon his manners and bearing towards these desperadoes—hence all his words and actions were strictly guarded. Had he at any time evinced apprehensions or fears as to his safety, or made any movement towards leaving the house, instant death would probably have been the consequence. Too dastardly to make an open attack, they intended, without doubt, to assail him in the dark. After the lapse of an hour, a movement, distinctly heard, made it manifest that murder was meditated, and that the attempt was about to be made. Feigning to be asleep, yet wakeful to every sound, he heard the latch of the door cautiously raised, and the footsteps of a man in the direction of the settee. He waited a moment, and the same man, as was believed, approached his bed with stealthy steps, remained but a moment, and withdrew. A low whispering was heard. All was again silent, and the guest seemed to sleep. Again some one approached him, so near that he could distinctly hear the suppressed breathing. He immediately turned over, as if awakened, and the assassin, doubtless with dagger in hand, hastily retreated. Whisperings were again heard,

and during the conference, something fell on the floor which sounded like the blade of a knife. All was silence again; when the Colonel, raising himself up, called upon the fellow on the settee for a light. He appeared to be aroused, unwillingly, from a sound sleep, and, in a surly tone, asked what was wanting? The Colonel remarked that he was quite unwell, and wished for a light, that he might rise. After some delay, he got up, drew on his boots, leaving his hat, overcoat, &c., and went out, desiring that the light might be held at the door a few moments. As soon as he was beyond the reach of observation, he directed his course towards the river. Walking briskly, and having advanced half the distance, signals by a shrill whistle were made close in his rear. Finding that he was pursued, he increased his speed, and gaining the margin of the river, he discovered light from a boat at shore, about half a mile below. The signal was again repeated, and quickly answered in a direction which showed that on his way to the boat he was to be intercepted. Proceeding cautiously, he discovered a man crossing his path between him and the light. Keeping in the shadow of the woods, and approaching the point of danger, he ran at full speed, passing the robber at the distance of a few paces, and soon gained the boat. Ere he reached it, the whistle was heard in quick succession, and a fine spaniel, which he had seen at the house, came to him, and turned back instantly to his master.

“The boat’s crew, upon being made acquainted with the facts, generously offered him protection and assurance of safety, expressing a willingness to return with him for his horse and baggage. The Colonel declined the service, supposing that an attempt in the morning would be sufficiently dangerous. As soon as it was light, they proceeded to the house, and found the horse confined as he had left him. His saddlebags had evidently been examined for money, which, fortunately, he had secured about his person.

“Of those who composed the party the evening before, all were missing except the Creole and negro woman. Without explanation being asked or given by either party, he resumed his journey, the generous boatmen accompanying him to the

road, and without further adventures with robbers, reached Baton Rouge."

To remove all doubt as to the character of these ruffians, if indeed there be any, it is only necessary to inform the reader that a few months subsequently, a gentleman from New Orleans was murdered at this establishment. A thorough search being made by the officers of justice, lead to the detection of this band as the offenders. They were tried, convicted, and executed, not more than twelve months after the narrow escape of Colonel Trimble.

Colonel Trimble often gave the following relation of a battle which he once witnessed between a black snake and rattle snake:

He was riding on horseback, when he observed two snakes in the road, a short distance ahead of him. They were moving round in a circle, apparently following each other. A gentleman who was with the Colonel, and who had witnessed a similar scene before, remarked that the maneuvering was the prelude to a fight, which it would be amusing to witness. They stopped their horses, and watched the snakes. The cautious policy of following each other in a circle was pursued for some time, closing at each round; and when within a few feet of each other, the black snake coiled, and placed himself in an attitude to strike. The rattle snake passed round his antagonist two or three times, still lessening the distance, when he stopped also, and began to coil. Before he was ready to strike, the black snake suddenly darted upon him, performing his evolutions with too much quickness for the observation of the spectators. When distinctly seen, both snakes were stretched at full length—the rattle snake involved in the folds of his adversary, which had seized him at the back of the head and held him fast. Shortly after, the black snake, having vanquished his enemy, gradually unfolded himself, loosened the grip with his mouth, and moved away apparently unhurt. On examination, the rattle snake was found to be dead, and, to all appearance, every bone in his body crushed. The black snake is a constrictor, and usually destroys its prey by compression.

The following tender and beautiful lines were written on the day of Colonel Trimble's interment, and were ascribed, at the time, to the pen of Dr. Holcomb, a member of the House of Representatives, from New Jersey. This gentleman himself, a few years afterwards, paid the debt of nature. He was learned in his profession, and much addicted to the study of polite literature, possessing a fine taste, and respectable talents as a speaker.

THE FUNERAL OF COLONEL TRIMBLE,

LATE OF THE SENATE OF THE U. S. FROM THE STATE OF OHIO.

His body they bore to a warrior's grave,
The morning sun splendidly beaming;
The hearse moved slow, and the war plume waved,
And sabres and muskets were gleaming.

The cold winds blew, but he heeded them not,
The sleep of the grave he was sleeping;
The wise and the great of the nation were there,
And his country around him was weeping.

The trumpet peal'd loud and the death-drum beat,
And the march was the march of devotion;
And deep as the musketry roll'd o'er his grave,
Not a heart but throb'd high with emotion.

For oh! he died in the glow of his years,
In the pride and the bloom of his glory;
But long shall his memory emblazon with fame,
The brightest page of our martial story.

The winter shall pass, and spring flowers bloom,
By the banks of his own native river;
Weep, parent of Trimble, he ne'er shall return!
By the wave of Potomac he's sleeping forever.

But he sleeps with the great, and sweet be his sleep,
And hush'd be the requiem of sorrow!
His star is gone down, like the sun hid in storms,
To rise in new glory to-morrow.

As an evidence of the estimation in which Colonel Trimble was held, at the time of his death, by the Legislature of Ohio, the following account is copied from the journals:

“Whereas this General Assembly have been advised of the decease of the Honorable William A. Trimble, late a Senator in the Congress of the United States from this State, after a lingering illness, produced by a wound received in the service of his country, in the late war with Great Britain: and whereas this General Assembly are desirous to manifest their sorrow and regret for the loss of this distinguished citizen, and their high sense of his public services and private virtues: Therefore,

“Resolved, unanimously, by the Senate and House of Representatives, That in evidence of the deep concern and sincere regret so justly felt for the decease of the Honorable William A. Trimble, late a Senator of the United States for the State of Ohio, the members of this Legislature will wear crape on the left arm, during the remainder of the present session.

“Adopted by both Houses.”

PAUL FEARING.

PAUL FEARING was born in the town of Wareham, county of Plymouth, in the State of Massachusetts, on the 28th day of February, A. D. 1762. He was the son of Noah and Mary Fearing, who were born in the same town. His father was born the 11th of February, 1732. His parents were very industrious, upright, honest people, with no pretensions to any distinction above that of the common class of farmers, who formed the strength and the sinews of the country in the early days of our independence. The children were not numerous—consisting of a brother older than himself, named Silas, and a sister, younger, named Lucy. The sister married a celebrated attorney, Mr. Willis, of Massachusetts. Of his early childhood, but little can be learned from his remaining acquaintance living in this vicinity. He went through the preparatory studies usual to a collegiate education, I think, under the minister of the parish, as was common in early days, before Academies were established. He graduated at Cambridge University, in the year —, with credit as a sound scholar. I judge of that, in part, from an interesting incident connected with his graduation. Diplomas were not given, according to the rules of the College, until the graduation fees and bills of the College were paid. Young Fearing had fallen considerably in arrears; and his father having expended all the means his slender fortune would allow without distressing the family, and he having no funds of his own, and no friend near who was able to assist him, the prospect of taking a degree, the goal of all his hopes for many years, had become nearly hopeless. At this critical juncture, a gentleman in Boston, possessed of a feeling heart and an ample fortune, came forward, unsolicited, on hearing accidentally the circumstances of the case, and paid the money due. His name, I think, was Barrel. This incident made a deep impression on the mind of Mr. Fearing, and he always spoke of the circumstance with great feeling and interest. He was

a man of much sensibility, and very correct views of what was honorable, just, and right, in his intercourse with his fellow men.

Soon after graduating, Mr. Fearing commenced the study of law, under Judge Swift, of Windham, Connecticut, in whose family he resided. He was admitted "to the office of an Attorney in the Courts of Law in the State of Connecticut," the 19th of September, 1787, "by Richard Law, Judge of the Superior Court." The time required by law at that time for the study of an attorney, before admission to plead, I do not know.

The Ohio Company at this time having been organized, and their agents having completed the purchase of one and a half millions of acres from Congress, an expedition was fitted out, in the fall of 1787, consisting of mechanics, laborers, surveyor, &c., amounting to 46 men, under the direction of General Rufus Putnam. They reached Simrel's ferry, on the Monongahela, in December, when the winter had set in so severely that the navigation was unsafe. The party wintered at this place, and spent the time in building boats. The first of April the party left their winter quarters, and reached the mouth of the Muskingum the 7th of April, 1788. About twenty families joined them in the course of the summer. In May and June, General St. Clair, the Governor of the Territory, and Judges Parsons and Varnum, arrived. The first Court, called the "Court of Quarter Sessions," was held in September, 1788. Mr. Fearing arrived in the course of this summer, in company with the family of ————. He was admitted to practice in this Court the 9th September, 1788, as appears by the following certificate:

"The undersigned, Judges of the Territory of the United States Northwest of the river Ohio, make known that they have admitted Paul Fearing, Esquire, an Attorney at Law of said Court, and have given unto him permission to appear before, and practice in, any and all the Courts of Record, and others, that are or shall be erected in the said Territory.

"SAMUEL H. PARSONS,

"JAMES M. VARNUM.

"*Marietta, September 9, 1788.*"

The oath of office seems not to have been taken until September 12, 1793, as probably there was not much business for an attorney during the five intervening years. It is in the handwriting of Mr. Fearing, and seems so characteristic of his views and conduct in after life, that I will transcribe it:

"I swear that I will do no falsehood, nor consent to the doing of any, in the Courts of Justice; and if I know of any intention to commit any, I will give knowledge thereof to the Justices of the said Courts, or some of them, that it may be prevented. I will not willingly or wittingly promote or sue any false, groundless, or unlawful suit, nor give aid or consent to the same; and I will conduct myself in the office of an attorney within the said Courts, according to the best of my knowledge and discretion, and with all good fidelity, as well to the Courts as my clients: So help me, God.

"PAUL FEARING."

"*Washington county, ss.—*

"Sworn to in the General Court of Quarter Sessions, March 12th, 1793, before

"JOSEPH GILMAN, *Commissioner.*"

From Mr. Fearing's natural modesty and diffidence, his first efforts at elocution before the Court of Quarter Sessions, held in March, 1791, in the northwest blockhouse of Camp Martius, were attended with but little success. He was only able to say, "May it please your honors, ——— May it please your honors, ———" Another long pause; when he could only say, "I have forgotten what I had intended to speak," and took his seat. This diffidence, however, vanished in his next essay, and he was enabled to deliver himself with fluency, and with good effect. His frank, manly civility, and naturally sound and discriminating mind, soon made him a favorite with the people, and he had at his command much of the best law business of the country. The Honorable R. J. Meigs was one of his first competitors at the bar, and for the favor of the public. Many well contested battles were fought, and many knotty cases unraveled, by these early combatants for fame. Mr. Meigs was the most ready and

quick witted, with a ready flow of language; and Mr. Fearing the most industrious and patient in investigation: so that in final results there was but little gained on either side.

The Indian war breaking out in 1790, and not closing until 1795, put a stop to any enlargements of the settlements already commenced, or the beginning of any new ones. It also put a stop to emigration from the eastern States, and confined the settlers to their garrisons, exposed daily to the assaults of predatory parties of hostile Indians. On the south of the Ohio there were considerable settlements, in Kentucky, not as much exposed as those of the Ohio Company, inasmuch as they were located nearer to the towns of the Indians; but on the north side of the Ohio, they were entirely exposed, being the only settlements on that side of the river, excepting the garrison or fort at Cincinnati, and the settlement at Gallipolis, by the French emigrants, in 1792. These, however, were no security to Marietta, and were all equally liable to attack. During these four or five years, the settlers seem to have suffered very considerably, being continually on the look out for Indians, and, for one or two years, pinched very closely by famine. Several of the inhabitants at Belpre, in venturing too far from their defenses in searching for game, or in looking for their cattle, were waylaid and shot by the Indians; but no serious attack was ever made on the settlements located on the Ohio river. The one at Big Bottom, on the Muskingum, was surprised January 2d, 1791, and fourteen persons killed. The attack was wholly unexpected, as they had been led to believe that the Indians never made any depredations in the winter—the snow on the ground enabling their foes to follow their tracks so readily, and the inclemency of the season not being favorable to winter excursions, as they would need to kindle fires, which would also discover their approach to the settlements. The picketing of the garrison was incomplete, and the house not finished; besides, all the settlers were unacquainted with Indian warfare. One or two persons escaped from a small house a few rods from the main building early in the onset of the attack, and gave the alarm to the garrison at “Wolf creek Mills,” five miles from Big Bottom, or the whole of that settlement

would have been destroyed, as they were entirely off their guard, not expecting any Indians nearer than Chillicothe.

The troops stationed at Fort Harmar, in Marietta, left that post for Cincinnati, in September, 1790. This was known to the Indians, and doubtless emboldened them to venture more frequently into the neighborhood of the settlements. Timely notice was generally given to the settlers by a company of rangers, employed by the Ohio Company, who daily scoured the woods, to the distance of eight or ten miles, in every direction—two of them usually going in company. Captain Rodgers, one of the rangers, was killed about a mile north of Marietta, in March following, and several persons below, near Bellville. Waldo Putnam, of Belpre, was shot at, and narrowly escaped, within a quarter of a mile of Farmer's Castle.

While confined to their garrison at Belpre, in August, 1793, the scarlet fever was very fatal amongst the children; some families lost nearly or quite all they had. In November, the small pox broke out, and destroyed a number of persons, until checked by inoculation, which duty was promptly performed by Dr. True, an honest, faithful, and upright physician, at the risk of his personal safety, as traveling was then very dangerous between the settlements at Marietta and Belpre, and only performed in canoes, no attempts being made at roads or bridges till many years after the Indian war was closed. Although closely pent up, and cut off from all intercourse with their brethren of the eastern States, the settlers were not entirely without resources of comfort and amusement. The older members recreated themselves with suppers of venison and fat turkies, with the fine pike and cat fish of the Ohio; and while enjoying themselves around the cheerful board, forgot the miseries of the present, while chatting on the privations and dangers of the revolution, in which many of them had been actors. The younger part of the community drove away dull care in the festive dance and the cheerful song, when assembled to pass the long winter evenings. These cheerful propensities were very useful in preserving them from despair, which often thickened around them, especially after the failure of an ill conducted campaign, like that of General St. Clair's, when they were left exposed to the

attack of the whole Indian tribes, without any to assist them. It was somewhere about this time, the colonists had serious thoughts of evacuating the country, but were induced to hold on a little longer by the earnest intreaties of Mr. Fearing and Mr. B. J. Gilman, with a few other enterprising men. The exertions of these men in preventing the evacuation of the country, was of immense advantage to the future growth and prosperity of the State, inasmuch as it would have taken up several years longer in bringing the country to the state of improvement it was in at this time, and thus have retarded the settlement of the State.

For one or two years Mr. Fearing acted as Commissary to the troops under General Harmar, procuring large droves of cattle from the settlements on the Monongahela, and from the neighborhood of Clarksburgh, Virginia. These cattle were kept in the woods near the fort, and required the constant attention of Mr. Fearing and his hands employed for that purpose, to keep them from straying away, and to protect them from Indian depredation.

When the troops left Fort Harmar, Major Doughty, an intimate friend of Mr. Fearing, made him a present of his dwelling house, a very comfortable log building standing near the southwest angle of the fort. To the house was attached an extensive garden, planted with fruit trees. Amongst them was a very fine peach, still cultivated in Marietta, and called at this day the Doughty peach. During the Indian war, Mr. Fearing, with his father, and a French boy called Louisant Freeman, occupied this house; and when the spies, or rangers, gave notice of signs of Indians in the neighborhood, they took up their quarters at night in the fort itself. Hostile Indians frequently appeared on the hill back of the fort, where they could lie in security, and from behind the trees take a view of all that was going on in the fort and cleared grounds adjacent; and when an individual straggled beyond the reach of gun shot from the bastions, he was watched, and fired upon. In this way one or two were killed. R. J. Meigs, late Governor of Ohio, was in this manner waylaid, and narrowly escaped with his life. His servant boy was killed, and a man

named Simonds shot through the shoulder, who saved his life by taking to the river and swimming on his back till relieved by aid from the fort.

Peace was established with the Indians in August, 1795. Late in November of this year, Mr. Fearing had a very narrow escape from drowning. He was coming up from the settlement at Belpre in a canoe, which was the only mode of conveyance, for many years, in traveling from place to place on the rivers. It was attended with less danger than traveling by land; and besides, there were no roads along the river banks, nor bridges across the creeks—neither were there any horses, the greater part of the first settlers bringing on their families in wagons drawn by oxen, and taking up eight and ten weeks in performing the journey from Massachusetts to Ohio. They, however, came safely; and the oxen made a better team for clearing new lands than horses, and did not offer such a temptation to Indian pilferers—it being found very difficult to keep them from falling into the hands of roving parties, who continually watched the settlements for opportunities of stealing, as well as of murdering the inhabitants. For this reason, the keeping of horses was rather discouraged by the managers of the Ohio Company's concerns, and was doubtless a wise and prudent measure. Mr. Fearing was a tolerably skillful canoeman; but having with him in the boat his future wife and her sister, his attention was taken up with them, or from some other cause, in passing round a fallen tree top which projected several rods into the river, the canoe upset, and threw them all into the river. None of them could swim but a boy about fourteen years old, who soon reached the shore. In their attempts to hold on to the canoe, it would roll from their grasp. Miss B. Rouse, the sister of Mr. F's. future wife, an active, courageous girl, exerted herself so powerfully that she soon reached the shore, after having been at the bottom once or twice. Cynthia, being covered with a large camlet cloak, floated more buoyantly, sometimes clinging to the canoe, and sometimes floating near it, buoyed up by the cloak. After floating in this way for several rods, Mr. F. encouraging her with his voice,

although unable to assist any with his hands, they both reached so near the shore as to be able to get hold of the willow bushes, and were helped to dry land by the boy, nearly famished by the cold, as there was considerable ice in the river at the time. Fortunately, a large flat boat laden with dry goods came in sight, and at their request, landed and took them on board. By wrapping them in warm blankets, and giving them hot drinks, they were soon restored to comfort. The boat landed them at Farmer's Castle, and their next attempt to reach Marietta proved more fortunate, taking with them an experienced canoeman. When we consider the rare occurrence of a flat boat at this particular juncture, when so few were found upon the river, with every thing on board to make the shiverers comfortable; and that there was no house between Belpre and Marietta where they could have received assistance; and their being enabled to reach the shore, all of them in safety, under such hopeless and discouraging circumstances; the whole affair may be viewed as one of those plain and manifest interpositions of Providence, in overruling and guiding the destinies of man while a sojourner in this changeable and ever varying world.

On the 28th of November, 1795, Mr. Fearing was married to Miss Cynthia Rouse, in his own house, at Marietta. The ordinance was performed by the Honorable Joseph Gilman, one of the Judges of the Territory—previous notice having been given by publishing, or posting the bans of marriage on the liberty pole, or flag staff of Farmer's Castle, where the parents of his wife then resided. Marriages were rare in those days; and there being no meeting houses, nor clerk's offices, the most ready mode was to give notice at the most public place; and in Farmer's Castle this was the liberty pole, the spot where the whole male population assembled every day at roll call—for the government, in those dangerous times, was altogether military. The fruits of this marriage were a daughter and two sons.

In the year 1797, Mr. Fearing received the appointment of Judge of Probate for Washington county, in the Northwest Territory, under the seal and commission of Winthrop Sargent, then acting as Governor of the Territory. It is

dated at Cincinnati, the 22d March, 1797. The device on the seal is a forest, in which a clearing has been commenced, with a few fallen trees, with the legend "*Melioram ——— Locavi*"; (the middle word is illegible.)

After the Indian war had closed, the Territory filled up rapidly with new settlers, and in a few years became sufficiently numerous to entitle it to a delegate in the Congress of the United States. Mr. Fearing had previously been elected a Representative to the Territorial Legislature, in 1798, or 1799. While there, he was elected Delegate to Congress. This election was held on the ——— day of ———, in the year 1799, at Cincinnati. Mr. Fearing was a candidate for the office, and was elected. About this time the two great political parties of Federalist and Republican were organized all over the United States, and even in this remote Territory the voice of political strife was loud and boisterous. Mr. Fearing was attached to the Federal party, which at this time was most numerous in the Territory.

Mr. Fearing acted as Delegate for the Territory for two years, with great credit to himself, and to the entire satisfaction of the people. After his return, he continued to practice as an attorney before our Courts, for several years, with increased reputation. His manly, open countenance, with his well known character for uprightness and honesty, gave his pleadings great and deserved weight with a jury; and he was often spoken of, and named, in a familiar manner, by the country people, as "Honest Paul"—a phrase which gave more weight and popularity to his opinions, than the title of Governor, or General. On his farm, a short distance below the mouth of the Muskingum, on the Ohio Bottom, Mr. F. erected a neat dwelling house, about the year 1802—planted an extensive orchard of the choicest fruits, of which he was a very intelligent and successful cultivator: his garden was arranged with great neatness and taste, and ornamented with shrubbery, flowers, &c. He was amongst the earliest in Ohio who paid attention to the raising of Merino sheep. His flocks embraced several hundreds of these interesting and valuable animals, propagated from a few individuals bought at enormous prices—a single buck commanding four and five

hundred dollars, and a ewe not less than one hundred, or one hundred and fifty dollars. During the yeaning season, he passed many weary and sleepless nights in watching the young lambs, and protecting them from the intense cold which often prevailed, and would be fatal to the lambs if long exposed to its influence. By his knowledge of their maladies, and his good sense in feeding, and studying their habits, he became one of the most successful cultivators of "Merinoes," an animal at that early day very difficult to rear, and requiring different treatment from that usually applied to the common sheep of the country. His practical knowledge in this way acquired, was of great use to the farming interest in this country, as he was ever ready to impart to others every thing he knew in relation to his favorite Merinoes. The culture of this valuable animal was for many years extensively conducted by the farmers, and was very profitable, so long as the Government, by protecting duties, encouraged our woollen manufactories to work up the wool of the country—thereby not only making the United States independent, but the people rich.

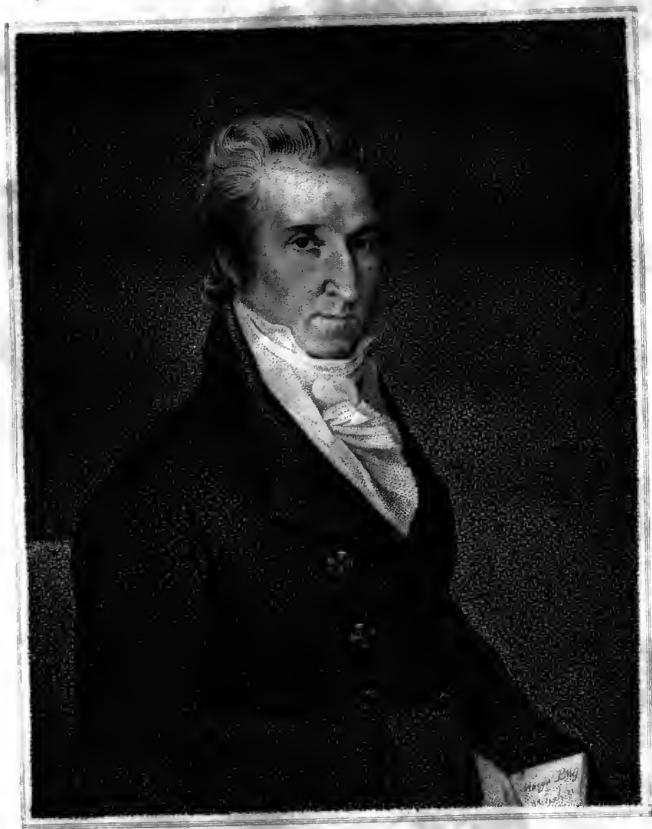
In the year 1810, he was appointed Associate Judge of the Court of Common Pleas for Washington county. The commission is signed by Samuel Huntington, then Governor of Ohio. In this office he served seven years, with much credit as a sound jurist. At the expiration of that period, the leaders in party politics placed the office in other hands, more congenial to their views. In 1814, he received the appointment of "Master Commissioner in Chancery."

From the first entering of the lands of the Ohio Company for taxation by the State, Mr. Fearing acted very extensively as agent for the share holders in the eastern States. Paying their taxes, and examining and surveying their lands for sale, occupied a considerable portion of his time not taken up in his own farming and domestic affairs.

In his disposition, Mr. Fearing was remarkably cheerful and pleasant; much attached to children, and never happier than when in their company. He had much feeling for the poor and the oppressed, and was ever ready to stretch forth

his hand and his purse for their relief. He died the 21st of August, 1822, after a few days' illness, a victim to the fatal epidemic fever which ravaged the western country from 1822 to 1824, in the 60th year of his life. His wife died the same day, a few hours after, in the 46th year of her age. He was a careful and close observer of natural events, and kept a journal of many interesting incidents, especially of the floods in the Ohio river.





GOV. R. J. MEIGS

Engraved by J.B. Longacre from a Painting by C. Lawrence.

RETURN J. MEIGS.

RETURN JONATHAN MEIGS was born in Middletown, Connecticut, in the year 1765. His father was the late venerable Colonel Meigs, who died at the Cherokee Agency, in the year 1823, at the advanced age of 83. The subject of this memoir graduated at Yale, in the twentieth year of his age. His collegiate course, if not illustrated by the fruits of unusual diligence and masterly genius, was creditable to himself and the institution. Early in life, he occasionally assumed the "livery of the muses." Many of his hours, particularly those which by most students are denominated leisure ones, were appropriated to writing poetry, and other compositions. Having but little ambition to distinguish himself in verse, he composed no labored poems. His verses were merely effusions prompted by some casual occurrence, and were but rarely submitted to the public eye. His moments thus dedicated seemed to be among the most happy of his life. One of his most finished pieces, and which was recited on a public occasion at Yale College, has recently appeared in several of the Eastern papers, with favorable notices. In all his writings he was chaste, concise, and intelligible, being a great enemy to verbosity and circumlocution.

Mr. Meigs prosecuted the study of the law in his native town, and was there admitted to the bar. At the age of 23 he was married to Miss Sophia Wright, who possessed in a high degree those qualities so essential to a happy match. In the same year, 1788, he emigrated to the Northwestern Territory, and settled at Marietta, which was founded about that time, under the auspices of the Ohio Company.

To defend Marietta and its dependencies from Indian aggression, General Harmar was stationed, with a regiment of regular troops, at a post immediately below the mouth of the Muskingum river. After remaining there some time, with a view to reduce the savages to a pacific temper, he was ordered to proceed to their villages, and lay them waste. This

was in the year 1790. A few weeks, however, previous to his battle with them near the confluence of the rivers St. Mary's and St. Joseph, Mr. Meigs was sent by Governor St. Clair with dispatches to the British commandant at Detroit. Then, and for some time afterwards, it was not doubted that the savages were instigated to hostilities against our frontier inhabitants by the British. Of this outrage on the part of a nation claiming to stand high in the civilized world, proof is not wanting. For the purpose of obviating an evil so justly the cause of complaint, and so seriously demanding redress, it is supposed, the communication through Mr. Meigs was made.

The country from a point on the Muskingum river twenty miles above Marietta to Detroit, was an unbroken wilderness. The only company Mr. Meigs had in the performance of this journey, was one white man, with an Indian for a guide; the latter of whom, being unable to speak English intelligibly, made use of signs. They set out with one horse to convey their provisions; but in the course of a few days he was stolen by the Indians, which operated as a great inconvenience. The trip was a very fatiguing, as well as a hazardous one, as the Indians were then making preparations for war. On approaching villages, and they had to pass through several, they found it necessary to bear a white flag, as evidence of their peaceable intentions. On his arrival at Detroit, Mr. Meigs found the commanding officer very cold, distant, and ceremonious; deigning, however, to reply by him to Governor St. Clair. Being fully advised of the hostile purposes of the Indians, he assured Mr. Meigs he could not return in safety by the rout he came. At the time of making this disclosure, he offered him a passage across the Lake in a British packet, which was accepted. The promptness with which Mr. Meigs discharged the duties of this perilous mission, was highly pleasing to Governor St. Clair.

When Mr. Meigs was at Detroit, and amusing himself one day standing on a boat near the shore, wholly unapprised of danger, a young Indian chief, entertaining the most deadly hatred towards the people of the United States, leveled his gun at him, with the intention of shooting. At that instant a

white man who was standing near knocked up the rifle, snatched it from him, and shook out the priming. Thus Mr. Meigs was saved.

Much as the people of Marietta, about this period, were exposed to the savages, they were compelled to pay some attention to agriculture. At some hazard, they could obtain abundant supplies of wild meats; yet this was not entirely satisfactory. A desire to live as they had been accustomed to in the land from which they came, induced them to subdue the forests, that they might raise corn and other useful products. In these advances towards the blessings of a civilized life, great circumspection was necessary. It was as indispensable in carrying on their operations in the *clearing* and field to have a rifle, as an axe or a hoe. In times of imminent danger, while some of the inhabitants were employed in labor, others acted as videttes and guards. In these occupations Mr. Meigs took part, and about the first of June, 1792, made a narrow escape from two Indians. Returning late in the evening from a corn field, where he had been at work in company with his black boy about fifteen years old, and a man named Symonds, he was suddenly attacked. The Indians had secreted themselves near the path between him and the fort, on the west side of the Muskingum. As he approached the river for the purpose of crossing, a turn in the path placed him with his back to the enemy. At this juncture one fired, and shot Symonds through the shoulder. Being an expert swimmer, he took immediately to the river, and the black boy followed. The Indian who had discharged his rifle pursued, and overtaking the boy, who could not swim, a short distance from the shore, dragged him out, tomahawked, and scalped him. Symonds, wounded as he was, floated down the river to the fort, where he was taken out. He recovered. The other Indian, who it seems was armed only with a tomahawk, approached Mr. Meigs with signs to surrender. Mr. Meigs presented his gun, which from some mischance was unloaded, and approached him at a pretty rapid pace, and in passing, struck him with it. At that instant the Indian returning the blow with his hatchet, stunned him a little, but did not check his progress. The Indian imme-

diately followed; but being unable to overtake the object of his pursuit, stopped, threw his hatchet, which narrowly missed its aim, raised the war whoop, and gave up the chase.

Had Mr. Meigs adopted any other expedient than that of facing his enemy and rushing immediately upon him, it is more than probable he must have lost his life. On his left was the river, on his right a very high and steep hill, behind him the wilderness, and between him and the fort, his foes. To his sudden and unexpected attack upon the Indian, his fearless manner, and swiftness on foot, it is believed, he was indebted for his escape.

The Indians were immediately pursued by a part of the garrison, and several shots fired at them by some spies on the east side of the river; but they gained the hill which overlooks the town, and bidding defiance to their pursuers, escaped uninjured.

In the winter of 1802-3, at the first session of the Legislature under the Constitution formed a short time before, Mr. Meigs was elected Chief Justice of the Supreme Court, which consisted of three Judges. This situation, although highly honorable, was attended with great labor, as the laws required a court to be held in every county in the State once a year. This distinguished position he occupied until the month of October, 1804, when Mr. Jefferson, then President, appointed him a Colonel by brevet, and Commandant of the United States troops and militia in the upper district of Louisiana. This appointment induced him to resign his seat on the Supreme bench of Ohio. The year following, in the recess of Congress, he was appointed one of the Judges of the Territory of Louisiana, and the ensuing winter his nomination to that office was confirmed.

When Mr. Meigs was a Judge in Upper Louisiana, he presided, in St. Louis, at the trial of some Indians who were accused of murder, and it became his duty to pronounce sentence of death upon one of them. After the execution, but on the same day, a large, athletic Indian, whom he endeavored to prevent injuring some women and children in the street, assailed him with his tomahawk, and struck him several times on the head, cutting through his hat at every

stroke. At length, seizing the Indian by the arm, he succeeded in wresting the hatchet from him, and threw it away. Furious at this occurrence, the savage sprang upon him like a tiger, Mr. Meigs being unable to retain a grip of his naked adversary. The Indian had a belt around him, from which he attempted, in the scuffle, to draw a large knife. A young gentleman, a Mr. Hammond, seeing the knife about half removed from the scabbard, and not at all doubting the purpose for which it was about to be used, approached with a pistol and shot the Indian in the back. He let go the knife, started back, and fell dead. The hatchet with which Mr. Meigs was struck, is in the possession of his family.

At another time, his situation seems to have been more dangerous than that just referred to. In St. Louis, while reviewing some troops, and in passing the line, a salute was fired. A musket was discharged by some one, loaded with buckshot, many of which passed through his vest, cravat, and the ruffles of his shirt, and one of his epaulets was cut away. This occurrence was altogether accidental.

The climate of the lower country not at all suiting his constitution, his health failed, and he returned to Marietta in the autumn of 1806, much enfeebled by disease. Satisfied, on this account, that he could not be of any further service in Louisiana, he requested to be transferred to the Territory of Michigan. In this desire he was indulged, as, on the 2d of April, 1807, he was commissioned a Judge of that Territory. In the month of October following he resigned this commission, and became a candidate for the office of Governor of the State of Ohio. To take this step he was much importuned by numerous friends and acquaintances. His only competitor for this elevated situation was the late General Nathaniel Massie, who was one of the earliest settlers in the valley of the Scioto, and a gentleman of great popularity. The canvass was a spirited one, the friends of each making great efforts for success. The result was favorable to Mr. Meigs. His election, however, was contested, on the ground that he had not been an inhabitant of the State four years next preceding his election, as the Constitution required. As there was at that time no statute pointing out the manner in which the

election of Governor might be contested, the Legislature, at an early day of their session, made provision for such cases. The contest being prosecuted accordingly, the decision was against Mr. Meigs.

Foiled as Mr. Meigs was in his efforts to reach the Executive chair, still he appears to have been the favorite of fortune. At the same session at which the contest was decided against him, he was elected a Supreme Judge. This office he held until the December following, when he was chosen to fill a vacancy of one year in the Senate of the United States, occasioned by the resignation of John Smith. He was also, at the same session, appointed a Senator for six years.

In the spring and summer of 1810, there was much political excitement in the State. Some of the Judges, about two years before, had pronounced the act of the Legislature increasing the jurisdiction of Justices of the Peace from twenty to fifty dollars, unconstitutional. To a large portion of the people this appeared to be a usurpation of power so flagrant as to require, most imperiously, the appropriate remedy. There were others who, taking a different view of the question, defended the Judges with zeal and talent. With this class nearly the whole bar was associated; which, as the attorneys were denounced as selfish and interested in the preservation of the jurisdiction of the Courts undiminished, rendered the principle for which the Judges contended more odious and objectionable. To resent this arrogant exercise of power and appease the offended majesty of the people, articles of impeachment had been preferred and prosecuted against two or three of the reputed delinquents. And although there was a large majority of the Senate in favor of finding the respondents guilty, yet there were not two-thirds, the number required by the Constitution. This failure in the popular cause was exceedingly mortifying to the "Judge killers," and a matter of triumph to their foes, giving origin to much bitter invective. Defeat, ever inventive of expedients to retrieve an overthrow, suggested another method of operation. The memorable "sweeping resolution," a stigma upon our annals of legislation, was adopted. This measure

was intended to remove from office all Judges who had been elected to fill vacancies occasioned by death or resignation, although the incumbents might have been in commission a term less than seven years, which is the period of tenure prescribed by the Constitution. Another class of Judges was elected, entertaining, as was believed, popular views on the distracting question. The consequences, for a time, were serious. In some places the old and new Courts were disposed to contest each other's rights to the bench. Little as the doctrine of the "sweeping resolution" would bear scrutiny before the public, still the politicians who broached it in the Legislature, and had used it so successfully against the offending Judges, were determined, if possible, to maintain the ascendancy. Tammany societies were established in different parts of the State, whose object was to make nominations and control the elections. The elements of their doings were secrecy and concert; and to insure the fidelity of members, the obligations of an oath were imposed. Through the influence of these societies, General Worthington was brought out as a candidate for Governor. Many of the friends of the old, or expelled Judges, sensible of the great popularity of this gentleman, cast around for the man who would be most likely to outpoll him. The probabilities were in favor of Mr. Meigs. He was solicited to try again his luck before the people, and consented, although he then held a seat in the Senate of the United States.

The partisans of these two rivals were extravagant in crimination. The number of offices which Mr. Meigs had held, and the frequency of his resignations, were urged against him as an objection. He was denounced as the Federal candidate by men who, three years before, had sustained him with energy for his republicanism. That he might feel the utmost severity of the quill, one writer assailed him with modified plagiarisms from Junius. He was elected, however, by a majority of more than two thousand votes. On the eighth of December following he resigned his situation as Senator, and entered upon the discharge of his new duties. The writer witnessed the ceremonies of the installation, which were very imposing. This spectacle took place at the Court-house in

Zanesville, then the seat of government, in the presence of the members of the Legislature, and a crowd of spectators of both sexes.

His inaugural address was written with ability, touching upon a variety of topics deeply interesting to the State. Although he was evidently embarrassed in the delivery, still he acquitted himself to general admiration.

That Mr. Meigs' opinion of our Government, and the principles upon which it ought to be administered, may be known, a few extracts from his address will be given, in his own words:

"The Constitution of the State has wisely declared, that religion, morality, and knowledge, being essentially necessary to the good government and happiness of mankind, schools, and the means of instruction, shall forever be encouraged by legislative provision."

"Correct education is the auxiliary of virtue. Moral science will exalt the mind, while ignorance, the badge of mental slavery, debases it."

"Where the structure of government rests upon public opinion, knowledge is of vital interest: public opinion, to be correct, must be enlightened; and the culture of the understanding is the preserver of republican principles. Man, informed of his political rights, becomes reluctant to renounce them. Tyrants govern the ignorant. Intelligence alone is capable of self-government."

"Respect for religion, purity of morals, and love of country, comprise the substance of civil obligation."

"As with individuals, so it is with nations, that vice is the precursor of ruin—and taken in its extensive sense, it is permanently true, that 'righteousness exalteth a nation.'"

"Public excellence ascends from domestic purity—and just principles, extending from families to communities, enlarge the sphere of utility, and give to patriotism its proudest devotion."

Governor Meigs, in his message to the Legislature, in December, 1811, submitted to their consideration a variety of subjects deeply interesting to the State. A few will be ad-

verted to. Having occupied stations in life necessarily calling his attention to criminal jurisprudence, he made reference to it as a topic requiring legislation. He represented, with much force, the propriety of apportioning the punishment to the nature of the crime, sensible that when the penalty is sanguinary, and unreasonably severe, criminals often owe their acquittal to the mercy of the jury. A suitable modification in this respect, he believed, would lead to certainty of punishment, which is more effectual in the prevention of crime than heavy penalties rarely inflicted. To effect an object so desirable, he suggested the policy of establishing a State prison, with proper regulations. Punishment by confinement at hard labor, he believed, judging from the experiments made in some of the adjoining States, would prevent the commission of crimes by living examples of their direful effects—insuring by the process the safety of the public, and the reformation of the offender; thus blending mercy and justice, the best attributes of government.

As the jurisdiction of this State on the Ohio river was doubted by some, and denied by others, he advised that an arrangement with the States of Virginia and Kentucky, in reference to the matter, should be proposed. With his knowledge of facts, it was proper he should advert to this subject. He knew, as well as any man, the reasons why difficulties were likely to arise. The State of Virginia, by her act of cession, dated in the year 1784, granted to the United States her right of soil and jurisdiction to all the territory lying within her chartered limits northwest of the river Ohio. When the people of the District of Kentucky were permitted to form a State Government, the Ohio river was specified as the boundary on the north. The same river is referred to in our Constitution as the southern limit. In none of these terms of boundary is it intimated whether the middle, or a margin, is intended. Some jurists assert, that in neither Kentucky nor Ohio can an offense committed on the river be punished, as the whole width forms a boundary to each of these States. Others, perhaps rather speculatively, say Virginia owns the river, both as to soil and jurisdiction, never having surrendered it by grant. To this it is replied, that

Cabell, her lowermost county on the Ohio river, is bounded by this river on the north, and Big Sandy on the South; which repels the idea that so much of the river as lies between these two States belongs to Virginia.

In the fall of the year 1808, a man named Beckett was tried by the Supreme Court of Adams county, on an indictment for murder. From the testimony, it appeared that he and one Lightfoot, of whose murder he was accused, were ascending the Ohio river in a canoe, loaded with liquors, with the intention of going to the Ohio Salt Works. The river was very high at the time. In the night, when the craft was fastened on the Ohio side, it was believed, the offense was committed. The defendant's counsel raised the question of boundary, and relied with much force on the language of the act of cession, which, as they insisted, conveyed no part of the river. The question, however, was determined against them, on the ground that the murder had been committed in the canoe, which was fastened to the shore among the trees, much above low water mark. Mr. Meigs was a Judge of the Supreme Court at the time of this trial; and although he was not present, he was fully advised of the circumstances of the case.

Desirous of encouraging domestic industry, and rendering the independence of the country more complete, he proposed that an act authorizing incorporations for manufacturing purposes should be passed, enabling capitalists to associate and place their funds in some degree under the sanction and control of law.

Always alive to the importance of mental culture, he pointed to the education of youth as one of the incumbent and most weighty duties of the Legislature. He viewed the fostering care of seminaries of learning, and the provision of means for the instruction of children generally, as entitled to parental regard.

Congress, early in the session of 1811-12, manifested a temper to resent British insolence. The battle fought at Tippecanoe on the 7th of November preceding, by the American troops under the command of General Harrison and the Indians, may be considered as the prelude to hostilities. Both

before and after that engagement, there was abundant proof that the Indians, actuated by foreign influence, were determined on war. The famous Tecumseh, and the Prophet, his brother, as well as other chiefs, were actively employed in diffusing a spirit of discord among their followers and adherents. Tecumseh himself visited the Southern Indians, for the purpose of exciting them to participate in the expected contest, using every argument which his powerful talents could suggest. This disposition on the part of the Indians, and the loss of some of our most intelligent and brave citizens at Tippecanoe, produced a feeling in the West, as well as elsewhere, not to be repressed. Several statutes were passed preparatory to the levying and organization of troops, and measures were taken to infuse life and vigor into the different departments of the military service.

In the apprehension of danger in the Northwest, the President made a requisition upon the Governor of Ohio early in April, 1812, for twelve hundred men. Governor Meigs with promptitude issued orders to the commandants of the western and middle divisions to furnish their respective quotas, who were required to rendezvous at Dayton on the 29th of the same month.

On this occasion we know not which most to admire, the unwearied exertions of the Governor, or the patriotic zeal of the people. Although the season of the year most important to the agriculturists had arrived, all classes were animated in the cause of their country. Citizens distinguished for intelligence and wealth were emulous in the tender of their services. As if by a miraculous impulse, the requisition was filled in due time, and the men repaired to head quarters. The corps was organized, under the eye of the Governor, into three regiments, which were respectively assigned to the command of Colonels Cass, McArthur, and Findlay, all gentlemen of great respectability then, and all now high in office. Never was an army composed of better material. The men were in the prime of life, healthy, vigorous, patriotic, and ardent for distinction; the officers were intelligent, brave, energetic, and much devoted to the instruction of their men in the art of war.

In the course of two or three weeks, blankets, tents, and other necessary equipage, were provided. In the mean time, the advances in discipline were rapid, and highly creditable to both officers and soldiers.

On the 25th of May, Governor Meigs, having had these regiments drawn up into close column, surrendered the command to Brigadier General Hull, at the same time addressing them in the following words:

“Officers and soldiers of the first army of Ohio: Collected suddenly and rapidly from various parts of the State, you will soon be completely organized; and I trust that harmony will forever continue. Already you have made considerable advances in discipline: you will improve—it will soon be easy, familiar, and agreeable. Subordination is the soul of discipline—order, safety, and victory, are the results. Honor consists in a faithful discharge of duty, whatever may be the rank. Respect each other according to your stations. Officers, be to your men like fathers to children; men, regard your officers as fathers. You will soon march. My heart will always be with you. The prayers of all good citizens will attend you.

“By the directions of the President of the United States, I have so far organized and marched you. In his name, I thank you.

“I pray that each may so conduct, that when you return to the embraces of your friends and relations, they may be proud to salute you as one who had honorably belonged to the first army of Ohio. The second army is organizing, and will follow, if necessary. Our frontiers must be protected from savage barbarity, our rights maintained, and our wrongs avenged. Go, then; fear not—quit yourselves like men; and may the God of armies be your shield and buckler.”

The following instance of devotion to the country, and of alacrity of preparation for her defense, having but few parallels in history, is entitled to a place in this memoir:

Apprehensions being entertained, early in July, that General Hull's army would in a short time be in great need of supplies of provisions, which could not be forwarded without

strong escorts, an express was dispatched to Governor Meigs, at Chillicothe, requiring the relief. On Saturday, the 18th of the month, the communication was received. Stimulated to the highest degree to see the wants of a favorite army supplied, Governor Meigs made every effort, in the power of man, to comply with the requisition. His zeal and assiduity were not unavailing. That spirit by which he was inflamed was soon imparted to all around. A fine company of volunteers was forthwith embodied for the service, consisting of the most respectable citizens of Chillicothe, commanded by Captain Brush. The ladies were not less patriotic and efficient. Their employment on Sunday was in making preparations for the departure of their husbands, brothers, friends, and neighbors. Early on Monday, this company, arrayed in uniform, paraded, and took up the line of march, receiving the benedictions of thousands.

Before the surrender of General Hull, the devotion of Governor Meigs to the cause of his country was strikingly illustrated. In raising and organizing troops, there was no remission of industry; nor was he less efficient in making such provision as he foresaw their wants and circumstances would require. Subsequently, however, to that unexpected and mortifying disaster, his energies were greatly increased. His capacities for action were multiplied by the occasion. An extensive frontier exposed to the cruelties of Indian aggression, formed an emergency of a very alarming character. The first army of Ohio, composed of the best materials of the country, commanded by officers of useful attainments and unquestioned patriotism, had appeared in the face of the enemy, panting for battle, and giving promise of victory—and had been annihilated. As the movements of the enemy gave evidence of a determination to transfer the war from his own to our territories, there was a general call for succor. Governor Meigs sent expresses in all directions. Very soon, large bodies of militia were put in motion, and marched in the direction of danger. He attended at the points of rendezvous with great promptitude, making the arrangements necessary for a successful defense of the frontiers, and the re-

pulsion of the invader.* He was particularly careful in the transmission of orders as speedily as possible to the commandants of brigades on the frontiers, to adopt measures for the protection of all within the range of their authority. At his suggestion, blockhouses were erected, and occupied by the neighboring inhabitants, who formed associations for common defense. Arms and ammunition were drawn, at his instance, from the United States' arsenal, and distribution made where most needed. In this manner he contributed essentially to the security of the most exposed inhabitants, repressing their alarms and apprehensions of danger.

He had other and very delicate duties to perform, requiring the exercise of much prudence and firmness. There were many tribes of Indians situated near the borders of the State, some of whom manifested a pacific temper, while others espoused the cause of the British. In some cases villages, and even families, were divided on the important question of war; and the great difficulty was to discriminate between friends and foes, and to deal with them accordingly. Governor Meigs, associated in a commission with General Worthington and Mr. Morrow, held a council with the Delaware and Shawanec tribes, in the month of September. Several of

* To show the light in which he viewed things at this interesting crisis, and to furnish some evidence of his anxiety to obviate the evils with which Ohio was threatened, his proclamation, issued at the time, is copied:

"Whereas the United States are now at war with Great Britain, whose forces are aided by savages of the most ferocious nature, and the frontiers of Ohio are exposed to their cruelties and depredations, as well as the machinations of traitors and spies, creating discontent among our citizens, and giving to our enemies information of our situation, force, and movements. In order, therefore, as far as lies in our power, to prevent such cruelties, machinations, treachery, and spying, I issue this my Proclamation, exhorting the citizens and inhabitants of said State to a strict obedience of all their duties as such, requiring all military officers, according to their rank, to be strict in their attention to the discipline, arms, and order of all those under their command, and to hold themselves in constant readiness for active service; also requiring all magistrates, conservators of the peace, and civil officers of whatever description, to be vigilant in the apprehension and commitment of such traitors and spies, that they may be dealt with according to law."

the Kickapoos, Senecas, Mingoes, and Wyandotts, attended, influenced by different motives. The commissioners were instructed to ascertain, if possible, their views and inclinations, and to inform them, in the most explicit manner, of the course which would be pursued in reference to them in the event of hostility on their part. The chiefs in reply made professions of friendship and attachment to the United States, and in the most unequivocal language declared their purpose of observing the existing treaties.

Soon after, as a measure of precaution, Governor Meigs caused to be assembled at one point all the neighboring Indians inclined to be peaceable, amounting to about eight hundred, giving them assurances of kindness and protection. He also found it necessary to prescribe regulations for their government, without which his laudable object must in some degree have been defeated. It was highly proper to be exact with men whose fidelity could not be regarded as certain. Had they been permitted to roam at large in the exercise of their accustomed freedom, evils to themselves and to the whites would, without doubt, have ensued—many, however well disposed, must have met the destiny of foes; while the faithless would have been spies upon the movements of our troops, and made communications to the enemy accordingly.

Without detracting in the least from the merit of other prominent and diligent officers, it may well be doubted whether one did more in promoting and subserving the interests of the country, than Governor Meigs. Scarcely was there an important measure adopted, or movement made, in the interior, without his counsel. His elevated station authorized the hope that he would do much; and the expectations of those who knew him best, who were witnesses of his efforts, were not disappointed. If he was not exposed to personal dangers, he was not exempt from weighty accountability.

The good and virtuous of all ages, have been obnoxious to reproach. Purity of character is not always a sure defense. "Malice, the vulture of the soul," is ignorant of repose, and seeks the prostration of all above its own despicable level. Eminent talents, distinguished usefulness, and elevation of character, excite the envy of those who are denied such high

attainments. To accomplish their purposes, the malicious, fearful to make an open attack, raise doubts, and propagate evil surmises. What at first was sheer, intangible conjecture, by repetition assumes the form of serious allegation.

Such, in some degree, was the fortune of Governor Meigs. When doing most for his country, and commanding the confidence of those whose opportunities enabled them best to appreciate his conduct, he was assailed from different quarters. Great confidence had been reposed in General Hull. His patriotism and courage had been tested in the revolutionary war. His appointment to the command of an army of volunteers giving promise of gallantry and success, was hailed by all as auspicious. The contrast of feeling and sentiment produced by his capitulation, which was more generally ascribed to perfidy than cowardice, led some to whisper suspicions of the Governor's fidelity. When proof was demanded, reference was made to the lenity and kindness with which the Indians were treated. Circumstances rendered their removal within our limits, as has been stated, indispensable, and also that they should be supplied with rations at the public expense. This fact, connected with doubts of their sincerity, induced many of our countrymen, chagrined by misfortune, to be clamorous for their speedy and indiscriminate extermination. As these Indians had received reiterated promises of friendship and protection as long as they should maintain a peaceful attitude, Governor Meigs determined that, so far as he was concerned, these obligations should be kept in good faith. Being a candidate for re-election, and warmly opposed in different sections of the State, he was, without doubt, the more sensitive to calumnies. To administer some consolation to him, and to repel, in a becoming manner, the attacks of blindness and ill nature, the officers of a detachment of the Ohio militia, lying at Urbana, held a meeting on the 24th of September. The result was an address, signed by forty-one officers, doing him that justice which a knowledge of facts and impartiality must ever award to merit.

Although some of his friends were fearful as to the result of the election, yet he had a majority of several thousand votes over his competitor.

In the spring and summer of 1813, when every exertion was made to retrieve the losses of the preceding year, there was no abatement of ardor on the part of Governor Meigs. If forces were required, they were promptly furnished. This was peculiarly the case on two occasions, when the investments of Fort Meigs took place. A very general requisition of troops was made about the last of July, on the urgent representations of General Harrison. The militia in the south and west parts of the State turned out almost to a man, and were ordered to assemble at Franklinton, on the second day of August. To this point they repaired with great alacrity, and were forthwith marched to Upper Sandusky. The enemy having been repulsed, so many men, about six thousand, were not needed. After a consultation, however, between General Harrison and Governor Meigs, it was agreed that of this number two thousand should be detailed for a service of forty days. The object of this step was to defend the frontiers against the incursions of the enemy, provide for any pressing necessity, and render further *calls*, which were becoming a ground of complaint, unnecessary, until a draft could be made to relieve them. Very soon after, Governor Meigs received a letter from General Harrison, expressive of surprise at the retention of so many militia in the service, and the useless consumption of the stores at Upper Sandusky. The unexpected and humiliating rebuke of this communication induced the Governor forthwith to discharge the men so detailed. Before dispersion, 29th of August, the officers had a meeting, at which they adopted a preamble and sundry resolutions expressing, in very forcible terms, their discontent, produced by such fickleness of policy, and their unshaken confidence in Governor Meigs. This much has been said upon the authority of impressions and representations made at the time through the medium of the public journals.

Here it is proper to remark, that this proceeding of the officers has been noticed by the biographer of General Harrison in terms of asperity; nor has Governor Meigs escaped a share of the imputation.

The policy, in a time of war, of adopting resolutions praising or dispraising an officer, is very questionable, as it can do

but little good, on any occasion, and may produce incalculable mischief. However this may be, the officers who assembled at Upper Sandusky were not the first to set the example.

The resolutions, it must be admitted, were adopted at a time of excitement, and when the mass of the people were disposed to blame all high in authority. It is not to be concealed, that many questioned the skill of Gen. Harrison, in making preparations for the invasion of Canada, however little they might have been disposed to doubt his courage. It was generally thought, censure ought to fall somewhere—that some one was to be blamed for the instability of purpose, and procrastination with which the Northwestern Army appeared to be abused. A full year from the shameful surrender at Detroit had elapsed. The Michigan Territory was still in the hands of the enemy. Our frontiers were annoyed by the savages. The alarms occasioned by the assaults on Fort Meigs and Fort Stevenson, gave to the inhabitants great inquietude. The militia had been harassed and worried by drafts and calls, which had terminated in disappointment and mortification. A retrospect of the failure, was calculated to elicit remark among those who were not permitted to look into the arcana of the camp.

To vindicate the character of Gen. Harrison against the charges contained in the resolutions, Mr. Dawson has spread before the public a communication, of the sixth of August, addressed by the General to Gov. Meigs, disclosing his plans, wishes, and prospects, in reference to the approaching campaign. Much, as was alledged, depended upon the arrival of a sufficient number of regular troops, which, in the contemplated enterprise, would be greatly preferred. He also intimated, that, with his greatest efforts, an embarkation could not be effected in less than fifteen or eighteen days. Considering a retention in service of all the militia then at Upper Sandusky, out of the question, he advised that they be dismissed, with the exception of two regiments of ten companies each—in all amounting to two thousand men, with a suitable number of officers—and that the corps be encamped at or near that place, until it could be ascertained whether their services would be wanted, which would be but a short time.

It is difficult to reconcile some of the facts connected with this controversy. From the document just referred to, it is apparent the employment of this detachment depended upon a contingency. If regular forces could be obtained, it would not be wanted; and as to its future disposition, an early notice was promised. The militia at Upper Sandusky had been assembled under a special call, made in pursuance of an act of the Legislature of Ohio, and could not be compelled to remain longer in service than until their places could be supplied by a regular draft, which would have required thirty or forty days. It is not presuming too much to suppose General Harrison, as well as Governor Meigs, had a perfect knowledge of this circumstance—and if he had, it remains yet to be explained, why his course had not been chalked out accordingly. Mr. Dawson says, “the authority given to the commanding general, by the Government, was to call out militia for a six months’, not a forty days’ tour;” and why, in reply, it may be asked, was it not done, without placing any reliance upon men hurried away from their families and business, to meet an emergency? or why leave it to the discretion of Governor Meigs, or any one else, to determine on the period of service? At this distance of time, it may be presumption to indicate, what, on that occasion, ought to have been done; but if speculation may be indulged, it would appear that the circumstances of the case, viewed in combination with those of the Northwestern Army, generally, would have suggested the propriety of raising the corps by an address for voluntary service, for a reasonable length of time, say ninety days. In the event of a failure in the attempt, General Harrison would have had some harassing doubts removed, and could have shaped his course more unerringly, in relation to his future operations.

Judging from the general tenor of the preamble and resolutions, the impartial reader will form the opinion that Governor Meigs and the officers believed the corps detailed was liable to be ordered into service on any emergency which might arise within the forty days, whether that emergency might be the invasion of Canada, or the resistance of the enemy on our borders. The question as to time, was one

on which a difference of opinion might have existed. Some might have supposed forty days sufficient to have drove the enemy from our country and the lake, and so to disable him as to terminate hostilities in the north-west.

The report having gained currency, that the call for the militia had been made by Governor Meigs, upon his own responsibility, and without the request of the commanding general, the late Judge Couch, then aid to the Governor, published an article at Chillicothe, in refutation of the charge. The words of General Harrison, as cited in the defense of the Governor, were these: "Fort Meigs is again invested by the allied forces. The troops I have are not sufficient for its relief, without a reinforcement of militia. To you it is unnecessary to say more." By a letter from General Harrison to General M'Arthur, advice was given "to turn out as many militia as possible." The Governor, on his advance to the frontiers, was met by an express, bearing a letter for him to move on with his force "as quickly as possible." This publication was effectual in silencing the unfounded rumors.

Early in September, General Harrison wrote to Governor Meigs, representing that the Delaware Indians, near Piqua, were in great danger from the indignation of the white people, beseeching him to use his authority to prevent the violation of plighted faith. The Governor lost no time in acting on the subject, being satisfied that the apprehensions of the General were well founded. That depredations and the most provoking acts of cruelty had been committed in that quarter, there was no room to doubt. Many of the whites in the vicinity of the aggressions, suspected that some of the Indians professing friendship, were the perpetrators—of this fact, however, there was no proof satisfactory to the impartial and considerate. Those who took a more extended view of the case, had no doubt the outrages had been instigated by the British, through the instrumentality of their savage allies. Viewing the matter in this light, Governor Meigs issued his proclamation, stating his opinions, and making appeals to the best feelings of human nature. The idea of an indiscriminate slaughter, in violation of treaty stipulations, of men, women, and children, particularly at a time when many of the chiefs

and warriors had joined our troops, with the determination of sharing their destiny, was, to him, insupportable. He felt as if the character of his country was about to be sullied by an act for which atonement could not be made. To Governor Meigs, General Harrison, and a few other influential citizens, were these friendly Indians indebted for their safety.

The defeat of the British on Lake Erie, and at the Moravian towns in Canada, in the autumn of 1813, resulted in the recovery of the Territory of Michigan, and the restoration of peace on the frontiers of Ohio. This happy change of circumstances relieved Governor Meigs, as it did the citizens of the West generally, from much anxiety and trouble. Anterior to that period, the civil and military duties of his office had forbidden him the enjoyment of leisure. He was incessantly engaged in making provision for the various exigencies ever attending a state of war; and, but for the stimulus of patriotism, and the energies of a vigorous constitution, he must have sunk under the prostrating fatigues of business. Immersed as he was in public employment, he was rarely heard to complain, being active, patient, and resigned; often meeting, with unwavering firmness, very high and weighty responsibilities.

In his message to the Legislature in December, 1813, Governor Meigs uses this language: "To you, gentlemen, is assigned the province of preserving morals, by providing for the correction of crimes; of making salutary reforms and useful improvements of the laws; of encouraging the arts of general and domestic manufacture; of patronizing that education which, while it enlightens the understanding, corrects the heart; and of countenancing a religion replete with benignity and consolation." This short extract shows how deep an interest the Governor took in the promotion of the comfort and happiness of his countrymen.

Early in March, 1814, Governor Meigs was nominated by Mr. Madison to the Senate for Postmaster General. The nomination was very soon confirmed, and on the 17th his commission bore date. Upon receiving notice of this appointment, he resigned the office of Governor, and forthwith repaired to Washington City. This honorable and responsi-

ble situation he held until June, 1823, something more than nine years, when he tendered his resignation to Mr. Monroe. At the time he intimated an intention of retiring from a situation whose duties were arduous, and accountability great, the President, with much emotion, observed, "I have never had but one feeling towards you since the commencement of the war, when you were Governor, and that was friendship. I believed you to be an honest man, and a friend to your country. I wish you to retain your office as long as I remain President. If you resign, it must be from considerations purely your own." This kind declaration of Mr. Monroe, made in the fullness of his heart, would not have been submitted to the reader had either he or Governor Meigs been alive.

Every person of intelligence has some knowledge of the multifarious and diversified business of the Post Office department. The appointment of postmasters, the settlement of their accounts quarterly, an extensive and laborious correspondence, requiring unceasing attention; specifying the periods of the arrival and departure of the mails; the great number of contracts to be made annually; the large amounts of money to be received and disbursed; supplications for relief from various quarters, and the calls by Congress for information, form some of the prominent affairs of that department. Although it is not pretended that the Postmaster General can attend in person to the various duties assigned to his performance, it is his province to give the impetus, and keep the whole machinery in motion. Mr. Meigs being fully aware of the labors of his situation, was constant to his post. To those who called at his room for the transaction of business, he was very obliging; and in replying to letters, was as prompt as the nature of his engagements would admit. It would, however, be undeserved praise, to say he escaped censure. No man, in such a situation, can please all; and it is in vain to hope for such an occurrence. The accusations against him were not of serious import. Some charged that he was too indulgent to postmasters in cases of defalcation—that suits were not instituted and carried on with that promptness and energy which the interests of the public required. This is a matter about which an honest difference of

opinion might exist. One man may suppose that in cases of delinquency inadmissible of apology, a speedy resort to the most rigorous measures is the only safe and judicious step; while another, acting more in accordance with the dictates of humanity, may advocate mildness under the hope that there will be no "danger in delay." Either extreme is unsafe, and may eventuate in public loss. Prudence, if allowed some scope, will in most cases suggest a middle course. However things may have been managed, Governor Meigs certainly had the confidence of Presidents Madison and Monroe, whose opportunities of deciding upon his administration cannot be questioned.

About the time Governor Meigs retired, it was intimated the department had not been so conducted as to defray its own expenses, and that it had derived support, in part, from the Treasury of the United States. This intimation was erroneous, and was so made appear by an uncontradicted statement in the *National Intelligencer*, showing that it had produced to the Government a net revenue of about four hundred thousand dollars. The verity of this representation is also sustained by the first report made by the present Postmaster General. Upon this point, the indulgence of a few remarks is desired. For the purpose of maintaining the credit of the United States, Congress, on the 23d of December, in the year 1814, passed an act which, among other things, contemplated an increase of fifty per cent. upon all postages. This was exclusively a revenue measure, and continued in force until the 1st day of February, 1816, when a repeal took place, and will in some degree account for the excess of the receipts over the expenditures. After the restoration of peace, and when the flourishing condition of the country gave assurance that the diminution of the public burthens was not only practicable, but likely to be rapid, a general wish prevailed to see the benefits of the mail extended to every section and corner, however remote or sequestered. The object was the laudable one of diffusing information among the great mass of the people. The political excitement and partisan temper of the country have contributed not a little to create a desire for the NEWS. It is not improbable, that for some

time before Mr. Meigs resigned, such was the increase of post roads, stage lines, velocity of the mails, post offices, agencies, and other sources of expenditure, that there was difficulty in sustaining the department with its own proper funds. This, however, if fact, would, alone, form no just cause of censure—and if it did, Congress would justly be exposed to a part. It would tend rather to show the widely scattered accommodations of the excellent system.

Soon after Mr. Meigs' resignation, he returned to his residence at Marietta, determined to spend the remainder of his days in peace and quietness among his friends. After having passed more than thirty years of his life in the service of the public, it is not strange that such should be his determination. To his unambitious and philosophic mind, after so long a term of official employment, domestic repose gave promise of much happiness. No man, having held so many appointments, moved on more smoothly, or made fewer enemies. In his intercourse with the world he was courteous, without constraint or affectation. His carriage was that of familiar dignity. To all he was easy of access, and so transacted business with the poor and ignorant as to make a favorable impression, and secure their good will.

When on the bench, he was patient and dignified, showing great respect to the gentlemen of the bar. To the junior members he was ever kind, treating them like a father who is solicitous for the prosperity and advancement of his sons. Were they poor and timid, and deserving, he pointed them to better days, animating them to confidence and perseverance. It is not every one who knows of, or feels for, the tyro's necessities. In place of extending a helping hand, and giving salutary advice, too many of the older practitioners are disposed to mortify and overwhelm. In no situation of life was Mr. Meigs so unfeeling and cruel.

It is said his judicial opinions were brief, perspicuous, and to the point; more strongly characterized by good practical sense, than by the authorities of other tribunals. When and where he assisted on the bench, very little aid was derived from books, as they were not to be obtained; nor did the speed with which the Judges were required to travel admit

of much time being devoted to the consideration of questions, however important.

It has been intimated he was a great lover of popularity, and that there have been occasions when he sought it at the expense of principle. The man is not to be envied who does not desire, and even court the good will of society. To be worthy of the esteem and approbation of our acquaintances, is an attainment to which no one ought to be insensible. The dread of censure, and the love of reputation, are among the most powerful motives to do well; and although with some philosophers they may not constitute the most elevated, still they are worthy of high consideration. By education he was deeply versed in the science of morals, knowing as well as any man the distinction between right and wrong; and it would subject his accusers to much trouble to prove him delinquent in practice. To give him a place, however, above the common failings of humanity, or to bestow upon his memory ascriptions of perfection, is not intended. An effort of the sort would resemble that testimony which proves too much. If the accusation mean that he descended to low devices and trickery; that he assumed different characters, to win the friendship of the people, and thus attain office; then is injustice done to his character. He was decidedly a republican in principle. This was his reputation when he was a member of the Senate. Had his opinions on the prominent and agitating topics of the day been dubious or questionable, he could not have been three times elected Governor of a State, cautious, inquisitive, and scrupulous in such matters. His messages to the Legislature, and other public acts, furnish no ground for doubt. At no period of his life was he a clamorous politician. Although often a candidate, and always successful, his resorts were not those of the demagogue. He was one of the pioneers of the country. In early life he had been favored with several appointments, the duties of which he had performed with fidelity, and in a manner to give satisfaction. One situation gave him a recommendation for another. Duplicity will sustain no man as long and as constantly as he was sustained. Dissimulation may be attended with success for a season, but must in the end be defeated.

Such is the wise dispensation of Providence, that the dissembler soon betrays himself, and meets a just recompense. Even hypocrisy in religion does not long elude detection, being inconsistent and suicidal in its operations; and so it is in politics. He was never fond of controversy. His rules of intercourse resembled those by which Franklin and Jefferson were governed. They avoided all debate as an evil, frequently producing warm words and angry feelings without doing any good. Many of his neighbors were staunch and intelligent federalists, with whom he lived on terms of friendship, which would have been impracticable had he cherished a disputatious temper. He was content in the enjoyment of his own opinions, conceding to all others the same right.

When in camp, Mr. Meigs, with an address almost peculiar to himself, became acquainted with the wants and necessities of the troops, which he supplied with great care and tenderness. To the indisposed he was attentive and kind, often making visits, and affording such relief as their situation seemed to demand. To the indigent of his neighborhood he was benevolent, cheerfully contributing to relieve their sufferings. His tenants found him an indulgent landlord, generally willing to wait for payment during their pleasure. Against his moral character, nothing could be whispered. It was free from reproach. In his dealings he was honest, and even liberal.

Mr. Meigs possessed in an eminent degree the talent of rendering those around him cheerful and happy. He loved anecdote, but often indulged in remarks entertaining and instructive. His reading was confined to choice books; and perhaps none afforded more delight than the well conducted periodicals.

Although Mr. Meigs was naturally social, and enjoyed, in a high degree, "kind intercourse" with his neighbors, he was never more happy than when in the undisturbed seclusion of his beloved family. To his wife he was affectionate; and to his only child, a daughter, he was in some degree an instructor and companion. Several years before his death, he had the pleasure of seeing her married to the Honorable John

G. Jackson, a distinguished politician and jurist of Western Virginia. She has, for some years, been a widow.

Mr. Meigs was tall, erect, and finely proportioned, giving indications of strength and agility. His forehead was high, a little retiring; brows arched, and dark; his eyes black, quick, and penetrating, and nose rather prominent and aquiline. His features, altogether, were remarkably striking, expressive of mildness, intelligence, promptness, and stability of purpose. It was once observed of him, in the presence of the writer, that in the company of a hundred gentlemen, he would probably offer more points to the stranger, to attract notice and excite inquiry, than any one present.

In reference to his last illness, a correspondent states: "No murmurs, or complaints, escaped his lips. His dying moments were those of the resigned Christian, expressing a hope of everlasting felicity through his reliance on the promises contained in the word of God, and trusting in the tender mercies of a crucified Saviour. When asked whether he did not suffer much, his reply was, 'Shall we receive good, and not evil?' " He breathed his last on the 29th of March, 1825.

On the stone erected to his memory is inscribed the following epitaph:—

Here lies

THE BODY OF RETURN JONATHAN MEIGS,
Who was born at Middletown, Connecticut, 1765,
And died at Marietta, March 29, 1825.

For many years, his time and talents were devoted
To the service of his country.

He successively filled the distinguished places of
Judge of the Territory Northwest of the Ohio,
Judge of the Supreme Court of the State of Ohio,
Senator in the Congress of the United States,
Governor of the State of Ohio, and
Postmaster General of the United States.

To the honored and revered memory of

An ardent Patriot,
A practical Statesman,
An enlightened Scholar,
A dutiful Son,
An indulgent Father,
An affectionate Husband,

This monument is erected by his mourning widow,
Sophia Meigs.

GEORGE W. BURNET.

GEORGE WHITFIELD BURNET, was born in Newark, New Jersey, in the fall of the year 1772. His grandfather, Ichabod Burnet, was a native of Scotland, whence he emigrated, and settled in Elizabethtown, New Jersey, where he practiced physic and surgery with great reputation till his death. His only son, Doctor William Burnet the elder—father of the person whose biography we are attempting—was educated in Princeton College, during the presidency of Aaron Burr, and graduated in 1749. In the distribution of the honors of his class, he received the Latin salutatory, which was considered the highest in that institution. After he had acquired his profession, he established himself in Newark, where he obtained an extensive and lucrative practice. At the commencement of the troubles which terminated in the Independence of our country, he abandoned his profession, and devoted his time, talents and influence to the cause of the revolution. In 1775 he was chosen chairman of the committee of public safety for the county of Essex. That body, in consequence of the difficulty and danger of the times, and by the consent of the whig party, exercised an unlimited power. Their decisions and recommendations were received as law, and fearlessly executed by the people. Many of the tories were apprehended and punished or banished from the Colony by their direction. Their influence was such as enabled them in a great degree to give tone to the public feeling, and direct the efforts of the party opposed to the supremacy of the British Parliament. In the latter part of the year 1776 he was elected to Congress, and in April 1777, was appointed physician and surgeon general of the army in the Eastern Department, which appointment he held till the close of the war.

His eldest son, Doctor William Burnet, junior, was appointed a surgeon in the hospital established at Newark. His second son, Ichabod Burnet, having graduated at Princeton

College, commenced the study of the law in 1775. He joined the army as a volunteer in 1776, and was shortly after appointed an aid to General Greene, and continued to serve in that station till the dissolution of the army in 1783. His third son, John Burnet, at the age of eighteen, commanded a company of minute men on the lines, and was frequently engaged with the predatory parties from New-York and Bergen Point. His other sons were too young to share in the fatigues and dangers of the revolution. They removed at different periods, to Cincinnati, where two of them now reside.

The subject of this sketch was named after the Reverend George Whitfield, at his particular request. That learned, eloquent and pious divine, expressed an ardent wish that George, having received his name, might also adopt his profession, and enjoined it on his father to direct his education with a reference to the pulpit. As soon as his age and scholastic acquirements rendered it proper, he was placed in the Academy of the Reverend Doctor McWhorter, where he commenced a course of study preparatory to his entering college. He continued under the tuition of that accomplished teacher, until the school was discontinued. He then entered the academy of the Reverend Mr. Croes, now the Right Reverend Bishop of New-Jersey, with whom he finished his preparatory studies. During this time, he had the benefit of his father's instruction at home, whose correct knowledge of the languages, and other branches taught in the academy, gave him a decided advantage over most of his fellow students. He entered Princeton College in 1790, passed through his course with reputation, and graduated in September 1792. In October 1791, he had the misfortune to lose his father, and with him the advantage of his counsel and the influence of his example. He was placed during his minority under the guardianship of Isaac Gouverneur, Doctor Alexander McWhorter, and Doctor Elias Boudinot.

Having finished his collegiate education, it became necessary for him to select a profession, or to decide what occupation he would pursue in future life. With a knowledge of the anxious desire expressed by the distinguished man after

whom he was named, that he might engage in the sacred office of the ministry, he nevertheless, for reasons satisfactory to his own mind, determined to study the law, and accordingly entered the office of Mr. McWhorter as an apprentice under whose direction he pursued his studies with great industry for four years. He was then examined before the Supreme Court of New-Jersey, and admitted to the bar. After obtaining his license, he immediately proceeded to settle and arrange his affairs in New-Jersey, and removed to Cincinnati in the fall of 1776. The river Ohio being unusually low at that time, and there being no road opened from Wheeling to Cincinnati, he was obliged to travel through the wilderness, exposed to the difficulties and privations unavoidably attending such an undertaking. On his arrival at the place of his destination, he was examined by the judges of the General Court of the Territory, admitted to the bar, and immediately commenced the practice of his profession.

In the spring of 1797 he accompanied the General Court to Detroit, passing through an extensive wilderness, uninhabited except by Indians. On this tour, the party were obliged to carry their provisions and provender, and to encamp in the woods at night. Previous to this time the town of Detroit, together with the adjacent territory, had been surrendered, by the British officers, to the United States. Governor St. Clair had erected it into a county which he called *the county of Wayne*, in honor of the veteran whose victory under the walls of Fort Maumee had hastened that event. On this expedition the General Court of the Territory was opened and held for the first time in that county. The Court of Common Pleas had been previously established and organized by the Governor. The object of this expedition having been accomplished, the party returned to Cincinnati, after an absence of about forty days.

At this time the population of the North-Western Territory, which embraced the country that now composes the States of Ohio, Indiana and Illinois, and the Michigan Territory, contained by computation about twenty thousand souls, exclusive of Indians; consequently the settlements of the white population were small, very remote from each other,

and separated by extensive bodies of uninhabited wilderness, through which Mr. Burnet with others of the bar was obliged to travel, in the discharge of his professional duties. The principal settlements were at Marietta, Cincinnati, Detroit, Vincennes, Kaskaskias and Kahokia. Between these remote places roads had not been opened, nor ferries established. The traveler was therefore obliged to carry with him every thing necessary for his subsistence and his comfort, as far as the latter was calculated on. He relied on his horse for passing the rivers and creeks that he came to in the day, and on the earth for his couch at night, with his saddle for a pillow, and the blanket on which he rode for a covering. In this style Mr. Burnet with his associates rode what was called the circuit.

The judges of the General Court occasionally visited Vincennes and Kaskaskias, but they held one term regularly every year at Cincinnati, at Marietta and at Detroit, which Mr. Burnet attended as long as his health would permit. In the fall of 1798, while attending court at Marietta, he formed an acquaintance with Miss Sophia Greene, the accomplished daughter of Mr. Charles Greene, a respectable merchant of that place. Being pleased with this young lady, he courted her, and in May following married her. He continued to reside in Cincinnati, pursuing his professional duties laboriously, till the spring of 1800. At this time his health was much impaired. A severe cold had seated itself on his lungs, and he was threatened with a rapid consumption. He was advised by his physicians and friends to try the effects of a journey, to which he consented, and in May set out for Marietta with his wife and child, accompanied by their aunt, Mrs. Zeigler, and a faithful man-servant. They proceeded by short and easy stages, till they arrived in the neighborhood of Chillicothe, where his strength was so much exhausted that it became impossible to continue the journey. They stopped, made a pallet for him by the road side, under the shade of a tree, on which he reclined, and in a few hours expired. An express was sent to Chillicothe, on which the citizens of that town repaired to the scene of distress, and treated the party with the kindness and friendship that was

characteristic of the early settlers of the country. The corpse was conveyed to town, and the inhabitants vied with each other in acts of kindness to the family, and of respect to the memory of the deceased; whose merits as a scholar and a lawyer, and whose virtues as a man, were well known to them. Preparations were made for his funeral, of a character that evinced the high estimation in which he was held, and the disposition of the citizens, to pay honor to whom honor was due.

It may in truth be said of Mr. Burnet, that but few men have been cut off in early life from more flattering prospects of honor and usefulness. He possessed a sound discriminating mind, improved by the best education the country afforded. He had been from the grammar school to the grave a laborious student. He was temperate and prudent in all his indulgences, and appeared to be living rather to prepare to live, than to enjoy the passing indulgences of the hour. The country he had selected for his residence was in its incipient state, as to population and improvement. Its sparse settlements contained but few men of education, and he appeared to feel the obligation, which that circumstance imposed on him, to increase his stock of knowledge, as the most certain mean of increasing his capacity to become useful.

When the question of passing from the first to the second grade of Territorial government was under discussion, he wrote a series of numbers on that subject, for the Journal, a weekly paper printed in Cincinnati, which evinced a considerable extent of political and historical reading, and were a presage of what his talents and industry would have attained to if his life had been prolonged.

He very early acquired a habit of dividing his time, with reference to the different objects that required his attention, so as to appropriate to each its proper share. By this course he was enabled to accomplish much, without the appearance of hurry or confusion. His professional business, which was extensive, was attended to with punctuality, and without interfering with his regular course of reading.

His style of speaking, was argumentative and impressive. He spoke with ease and accuracy, and generally aimed to con-

vince rather than to captivate. It was a standing rule with him, to study attentively every case, in which he was engaged, as well from a sense of duty to his clients as of advantage to himself. His ambition to excel was a constant stimulus to exertion, and prompted him to greater efforts than his constitution was able to bear.

He had a high opinion of the importance of system, in the management of business, and reduced his theory to practice, with a degree of success that was apparent to all who were in the habit of visiting his office. It was as visible in the appearance of his library, files of papers, dockets, books of memoranda, agenda, &c., as in his personal movements, and the distribution of his time.

Although he devoted but few of his hours to the enjoyment of company and of social intercourse, he was cheerful and animated on such occasions. He was more attentive to his dress and personal appearance, than most men of his sedentary habits, condemning the mistaken idea, which many have attempted to propagate, that neatness is inconsistent with industry, and that slovenly habits are indications of genius.

Mr. Burnet was educated and brought up a Presbyterian, and although he never made a public profession of religion, he regularly attended public worship, contributed liberally to its support, and on proper occasions advocated the importance and defended the authenticity of the scriptures.

In politics he was an uniform and decided federalist of the Washington school, but was mild and temperate, and seldom engaged in political controversies. While he enjoyed his own opinion, he was willing that others should exercise the same privilege; in confirmation of which it may be stated, that the most influential men of the republican party in Cincinnati and its vicinity were among his most intimate and confidential friends. Of this number we might name Major Zeigler, General (then Captain) Harrison, General Wilkinson, the Reverend John Smith and William McMillen—who at that time constituted the little band that openly attached itself to the standard of opposition. Between these men and himself there existed a strong friendship, mutually indulged,

which was never interrupted by their opposite opinions on political subjects.

Before he left his native State, he became a member of the Masonic fraternity, and afterwards joined the lodge at Cincinnati, of which he continued an exemplary member till his death.

In the life of a person prematurely cut off in the twenty-eighth year of his age, before he had mingled much with the world, or traveled far in the path of eminence, we do not expect to find a great variety of matter interesting to the public. This sketch is therefore calculated to shew what the subject of it promised to be, rather than what he was.

MISCELLANEOUS PAPERS.

INTRODUCTION.

A number of years since, during the existence of the Columbus Lyceum, Judge CAMPBELL devoted the most of his leisure time to literary pursuits. He was, indeed, the life of that Institution, and perhaps did more than any other individual to give it consequence and character. Several of the Lectures which he delivered before it, were received with warm commendation at the time, and have since the decease of the Judge, elicited praise from some eminent gentlemen, who have perused the manuscripts. It has therefore been considered proper to select one or two of these, for publication in this volume of the author's Literary Remains, with the contemplated selections from his occasional Miscellaneous Writings.

ON IMPRISONMENT FOR DEBT.*

Boccoris, one of the kings of Egypt, enacted a law that none of his subjects should be seized for civil debts. How long this humane regulation continued, is uncertain. His successor, Sesostris, impressed with the policy of the measure, revived it, and it was in force at the time Solon visited that country, for the purpose of gaining information, and of collecting materials to improve the jurisprudence of his own.

About 600 years before the beginning of the Christian era, there were many dissensions in Greece, threatening the overthrow of the government. The inequality between the rich and poor, occasioned those of the most serious nature.

"So greatly were the poor in debt to the rich, that they were obliged either to pay them a sixth part of the produce of the land, or else to engage their persons to their creditors, who might seize them on failure of payment. Some made slaves of them, and others sold them to foreigners. Some parents were forced to sell their children, and to quit the city to avoid the cruelty of those extortioners."

In this state of things, the poor determined to risk all, pretty well assured their condition could not be made worse. "Influenced by this principle, they demanded an abolition of debts, and a partition of the lands. The rich opposed the demands as insolent and unreasonable. The more discreet of both parties looked to Solon as the man who was most likely to do justice, and effect a reconciliation. For this purpose power was conferred upon him. Deeply versed in the affairs of men, and believing that safety lay in a middle course, he at once abolished the debts of individuals, and annulled all acts which fettered the liberty of the citizen. This was done without making a distribution of lands. Both classes were at first dissatisfied; but upon reflection, after some time, the poor rejoiced, finding themselves released from the dread of slavery, and their little patrimonies from every species of encumbrance. Industry flourished, confidence was establish-

* Read before the Columbus Lyceum, Feb. 14, 1832.

ed, and many unfortunate citizens, whom the severity of creditors had driven to other countries, were induced to return. Murmurs gave place to sentiments of gratitude to Solon," who had rendered such signal services. 1 *Ana.* 52.

So tenacious was Solon of the liberty of the citizens, that he declared it should be suspended only by law, and that it should in no case be engaged as security for the payment of a debt.

About ten years after Solon gave law to Greece, and in his absence from the country, Pisistratus usurped the government. As this tyrant was popular, and very desirous of bearing rule, he used every art to retain the affections of the multitude. This being his character, it is not probable he caused any change to be made in the laws to the disadvantage of personal liberty. On this point, however, the several histories which I have consulted, shed no light.

The sterility of Attica, and Solon's unwillingness to see an idle and mendicant population about the streets, induced him to enact laws against extravagance, to encourage agriculture and the mechanic arts. These laws were enforced with much vigor and effect by the Areopagus. Indeed this famous court took especial pains that every man should have a visible livelihood, which had a most salutary effect. Besides, Solon himself, the philosophers and magistrates generally, cast the weight of their influence on the side of economy, truth, and probity, which for ages availed not a little in suppressing those causes which had led to collisions between the rich and poor. A beggar was unknown in Athens. All were industrious and acquired a competency.

During the existence of monarchy at Rome, which embraced a period of 244, years, commencing with Romulus, and ending with the expulsion of Tarquin the Proud, a very obvious distinction was recognized and confirmed among the citizens; designated by the terms patron and client, or patrician and plebian. It is natural, that in every society, be its elements at first what they may, a difference of condition should be formed. This is sometimes the result of popular arrangement, but more generally the fruit of genius and enterprise. To demonstrate the truth of this proposition, it is

only necessary to take a hasty survey of the country around us. In almost every neighborhood we see citizens very busily employed in amassing wealth, not at all content with what to some would appear to be a decent competency. Others under the influence of a different ambition, are making preparations for public life, hoping to participate in the councils of their country, while there are still others, and they are not a few, who seem to aim at nothing beyond the grasp of poverty and ignorance. There will always be rulers and ruled, rich and poor—nor do I wish to be understood as maintaining that these distinctions are an evil, unless the disparity be so wide as to present dissocial and odious extremes, admitting of no intercourse or compromise.

The relation of patron and client, was for a long time productive of mutual benefit. It was the duty of the first to protect and counsel their clients, when placed in circumstances of difficulty; and that of the latter in return, to aid in the support of the patron and his family. This connexion was not much unlike that now subsisting between the attorney and his client in this country.

In process of time, the clients very generally became indebted to the patrons. How this happened to so great an extent, as it seems was the case, historians have given different accounts. Some suppose the client was in a degree tributary to his patron, as the vassal was tributary to his lord, under the feudal system, where services or rents were exacted. Others think the debts in question accrued in consequence of money or effects being loaned by the patron to the client. The conclusion, however, seems to be this, that generally speaking, the poor freeman by his own labor, bestowed upon a small piece of ground, supported the rich freeman. He had no trade, by which he could supply articles of luxury to the more affluent; or by which, as in modern times, to make them his debtors. If he needed money, he was obliged to borrow—and his prospect of paying was considered the most flattering, when he was about going to war, as he hoped to participate in the spoils of a vanquished enemy.

While the exiled Tarquin continued to make pretensions to the throne of Rome, holding out to the plebeians, who con-

stituted much the largest division of the people, many inducements to espouse his cause, the patricians, who had the ascendancy in the new government, were restrained from enforcing their claims against the poor. But no sooner was he dead, than their reason for humanity and forbearance ceased. In "the capacity of creditors," says Mr. Ferguson, "they imprisoned, whipped, and enslaved those who were indebted; and held the liberties and lives of their fellow-citizens at their mercy." In the nobles, the plebeians found their worst enemies, and when the republic was attacked, the people refused to arm in its defence, many of them exhibiting their limbs galled with fetters, or torn with stripes at the instance of their merciless patrons.

As to what period of the regal government, or under what circumstances, the laws were adopted, which gave the creditor such an unreasonable authority over the persons of his debtors, history, as far as I know, is silent. This inference however may be drawn, that severe and cruel as the law was, it did not ensure punctuality. That a man should have contracted a debt at the hazard not only of being imprisoned, but of being scourged and enslaved, appears almost incredible.

For many years after the establishment of the republican form of government, the angry contest between the two parties was maintained with much obstinacy. The nobles were in the end constrained for their own safety to abate in their severities, and make concessions in favor of the people. The office of tribune was established. This office was the representative of the popular class, having power to make known their grievances, seek redress, and watch the movements of the restless and encroaching nobility.

Fifty-eight years after the republic was founded, when the tribunes, strongly sustained by the people, were likely to gain the ascendancy in the government, the decemvirs were appointed to prepare a code of laws, whose labors it was hoped might eventuate in peace and tranquillity, securing to *all* their just rights. The result was the famous system called the Twelve Tables—the *necessarium carmen*, which Cicero intimates, the Roman boys were required to commit to memory. This body of law, we are informed, was received by all

with avidity; and doubtless it comprised many excellent provisions. Though it has been handed down to us in fragments, some of its features, it is very apparent, are marked with blood. It conferred upon the father a right to kill or expose his child, and treated bankruptcy as a crime, without any distinction of fraud or misfortune, exposed the insolvent debtors to the mercy of his creditors, who might put him to death, dissect or quarter him, and distribute his members among them.

Upon advertng to the history of English jurisprudence, we find that imprisonment for debt, was wholly unknown to the common law. Personal property was responsible, but not the body of the owner. This exemption in favor of freedom, was owing in a great degree to the policy of the times, as we have it disclosed in the feudal system. At least this supposition appears well founded when we examine the relation which subsisted between the lord and his vassals. In many cases he was as much entitled to the services of his dependents as is the master in the United States to those of his slaves.

It has often been said of imprisonment for debt, that it is a relick of the dark and barbarous ages. This is not strictly true if intended to be applied to England; for it began to receive countenance in the reign of Edward the I., in the 13th century. To this monarch, Lord Coke and Sir Mathew Hale, names familar to the most of us, have paid the highest compliment for the many salutary regulations adopted in his time, tending to the security of the people and the stern administration of justice. Indeed he was denominated, on account of the many improvements which he made, the English Justinian. Since that period, till the present time, it has formed a striking feature in the English system of laws. It may perhaps be said with some truth, that this principle now so odious to many, received its being at a period when England was about to emerge from barbarism, and literature to be encouraged and cultivated.

I will now present the substance of what Mr. Hume has offered to the world, on this subject, in his history. As the laws now are moddled, says he, the debtor in some cases, lies, in a peculiar manner, at the mercy of his creditor. By the original common law, no man could be imprisoned for debt.

The body, land, and agricultural implements were exempt from process. This indulgence being found prejudicial to commerce, a law was enacted in the reign of Edward I., allowing execution against the person of the debtor, if his goods and chattels were found insufficient. In the same reign a second statute was enacted, granting immediate execution against the body, lands, and goods of the defendant, yet his effects could not be sold for the benefit of his creditors until the expiration of three months, during which, he himself might dispose of them for ready money, to meet the encumbrances. If at the end of this period, the creditor was not satisfied, he continued in possession of the debtor's lands, and detained the defendant himself, in prison, where he was obliged to supply him with bread and water, until the money was paid. By what process the debtor was committed, does not appear. Afterwards, however, in the time of Edward the III., other enactments on this subject took place, giving rise to the writ of *capias ad satisfaciendum*. Mr. Hume admits that the liberty of the subject, and the security of the landholder, were sacrificed, thus, to the new and growing interest, commerce. The imprisoned debtor was not, however, left entirely at the will of an unfeeling and inexorable creditor. If he made all the satisfaction in his power, and could show that his insolvency was owing to real misfortune, the court of chancery interfered on his petition, and discharged him, when no good reason for his detention could be assigned. Chancellors through the lapse of three centuries, hesitated not to exercise this power in favor of freedom; but from some cause not set forth, courts of chancery after the restoration of Charles II., ceased to administer this relief, and the consequence was, the jails were crowded with prisoners.

The character of the English bankrupt laws, which extends to *traders* only, is so generally known as to render it unnecessary for me to say much about them. If a trader lies in jail two months for debt, or does certain other acts evincive of a fraudulent temper, or unwillingness to pay, a commission of bankruptcy may be sued out by the creditors, and his estate be disposed of by commissioners, and the proceeds be applied to make payment. Should he be allowed a certificate by the

creditors, he is forever exempt from liability for debts then in existence. Many very able jurists, in both England and America, have considered this system as eminently humane and useful, while others have condemned it as a tissue of perplexing, discordant and unjust provisions, conducing to frauds and perjuries beyond computation. Sir Samuel Romilly, justly distinguished for his political and legal acquirements, as well as for his great love of justice and humanity, was desirous of seeing the whole policy, embracing nineteen acts of parliament, and creating, if my memory be correct, 160 offenses, severely punishable, entirely repealed.

The relief now extended to other insolvents in England, is not much unlike that of our own State. There is this difference, however, that the merciless creditor may keep his debtor confined at pleasure, upon paying three and sixpence per week, to defray the expense of his boarding. At this time, in England, the jails are literally crowded with prisoners, very many of whom are confined for debt. Of late years, the efforts of the benevolent have been more directed towards the condition of the incarcerated, in that country, than to effect any essential changes in the laws which consign to the same room, persons of good character and polished manners, and those of the most dissolute and abandoned morals. The picture drawn by Goldsmith, of the prison scene, when Dr. Primrose was confined, it is said, represented realities, and that picture would not be less true now than then, with this difference, that now the jailors enforce a system of discipline, favorable to the comfort, health and morals of the prisoners, which was then unknown.

I am informed that in France, at this time, an insolvent debtor cannot be imprisoned, unless it be made appear that the debt originated in some commercial transaction. By what rules the needful discriminations are made, I do not know.

Many of our prominent politicians and law-givers say that in this State, imprisonment for debt is already abolished. This is not true. Indeed it is very far from the truth. In reply to a letter which I addressed to the Sheriff of Ross county, he informs me, nine persons were committed to jail in that county, between the 1st of January, 1831, and the 1st of

January, 1832. Mr. Riordan, who keeps the jail of this county, has also obliged me with a statement, showing that within the same periods, 18 were committed to the jail of this county. Perhaps it would be just in establishing an average number to take 8. Multiplying the number of counties by 8, would give between five and six hundred prisoners. In the city of Baltimore, in the last year, 959 were committed. Or take the United States at large, and it has been reported that about 100,000 persons are annually sent to prison for debts and crimes. This I imagine is an exaggeration. I cannot believe the number is more than half so great, though here, we can scarcely form an idea of the suits, judgments, and offenses which the records of large cities disclose: of the number committed, it appears to me it is reasonable to conclude, at least one-half are debtors.

It is but just to remark, that the confinement of many in this State, and such without doubt is the case elsewhere, is but for a day. Some are discharged at the jail door, by paying the debt or causing it to be paid, while others availing themselves of the laws in reference to insolvency, are released.

Those who speak of the abolition of imprisonment for debt in this State, defend the expression by appealing to the provisions of the act for the relief of insolvent debtors. To this statute, embracing 55 sections, I have paid some attention; and I am free to confess, it presents to my mind many repulsive features. The unfortunate applicant is required to take so many oaths, submit to so many inquisitions of the most painful description, and to pay so much cost in addition to the loss of time, as I presume will repress all gratitude towards the authors of such a law. If the petitioner be honest and possesses a particle of delicacy, he must pass an ordeal almost as trying as that of Queen Emma, who had to walk among the red hot plough shares. The temptation to perjury must be in many cases, as strong as self interest can present. An upright man at every stage of the procedure, must feel appalled and mortified—and when the commissioner of insolvency shall have made the most faithful disposition of the property assigned to him, in his power, it is one to ten if there be an ingot a-piece left for the impatient creditors.

It is a fact too notorious to be disputed, that when an execution is sued out, it is levied upon all the unexempt property of the insolvent defendant, which can be found. If it be ascertained that he has fraudulently conveyed away his goods, the officer may seize upon them wherever he can find them. Then, why a man whose estate may have been thus exhausted, or who may have no estate at all, should be imprisoned, and subjected to trouble, vexation and cost, not easily calculated, to obtain his liberty, is a question of serious import.

The question, "has imprisonment any effect in conducing to punctuality in the payment of debts," is sometimes propounded, and is one worthy of consideration. I answer that I believe it has. The most of men, when they make engagements, without doubt, intend to fulfill them. Their motives for doing so are various, and in general, compound. One may be influenced by a conscientious sense of duty—another by a desire to preserve his credit and good standing unimpaired—another by the disgrace of being sued, and a fourth may prefer a fulfillment of his bargain, to the loss of his liberty—and all these considerations may have a joint and almost imperceptible influence in determining the actions of men in such cases. It cannot be denied that the dread of evil is often a much more forcible principle of human action, than the prospect of good. The evil of a suit, judgment, costs, confinement, though it constitutes a less elevated and praiseworthy motive, than the love of integrity, is in many instances, more dominant. But, to ascertain what proportion of debtors are frightened to honesty by a jail, is impossible. This one truth however, is incontestible, that all the advantages of truth and punctuality, and all the mischief and ruin of knavery, falsehood, and horrors of the prison, with many men, are wholly unavailing. They will not pay until compelled—and thousands cannot, being entirely insolvent.

Here I will say, that Montesquieu, who has distinguished himself for acuteness and penetration, defends imprisonment for debt, as necessary to the prosperity of commerce. He assumes it as fact, which well he may, that punctuality is the life of this branch of business. No country is more commercial than England, yet in England there is a deficiency of

punctuality, which the *ca. sa.* and confinement have not been sufficient to obviate. The advocates of this restriction upon liberty, were among the powerful and wealthy, who were disposed to treat debt rather as a crime than a misfortune.

To this mode of seeking payment, it may be objected that it is not so often effectual as to justify its continuance—Of the 959 who were committed to the jail in Baltimore, only 81 made payment; and it is probable many of those were released at the expense of their friends. About 500 were discharged by availing themselves of the benefit of the insolvent laws, or by the creditors declining to pay the maintenance fees. Those discharged in the manner last mentioned, of course, made no payments; and it is a fair presumption that the property of the applicants for the relief of the insolvent laws was exhausted without paying even the costs—and the reason is as before stated, that but little was left by the officer before the levy of the *ca. sa.* If it were possible to determine how many, in the fear of imprisonment, fulfilled their engagements punctually in Baltimore, it would enable us in some degree to determine the efficacy of confinement. But this is not practicable.

The table from which I have derived the foregoing facts, also states that the expense of boarding the prisoners was \$1,430 41, and the amount of debts paid in the jail, \$466 06. The loss in days which was sustained by these prisoners, amounts to 7,657, which at 25 cents a day, would be \$1,914 25. The cost and loss in time makes the sum of \$3,344 66, from which let the aggregate of debts paid in the jail be deducted, and a clear loss of \$2,878 60, is attributed to this policy. This, let it be observed, is not mere theory, but incontrovertible facts, speaking the language of demonstration.

Again, it is incompatible with moral principle, that all insolvent debtors should be exposed to the same punishment. Surely no one has the hardihood to say that insolvency and crime are always convertible terms. Our own observation will afford ample proof that some failures are the result of sheer misfortune, while others are of prodigality, dissipation or gambling; or by a fraudulent disposition of property to evade the payment of just debts. Yet the legislation of the country

knows no distinction. The innocent and the guilty are alike consignable to the prison house. Would it not be better that both classes should be exempt from seizure, than that this blind undistinguishing system should be retained with such pertinacity.

The community at large, as it is composed of individuals, may well be supposed to have a deep interest in the freedom of all who do not transgress or forfeit this right by crime. This is a general proposition—Is it just then, that a member of this community should be confined as a felon, without the commission of any act made penal by the laws? Is it just that his liberty should be made to depend upon the caprice of a creditor? Is it just that he should be committed to the same jail for perhaps one dollar, where the thief who may have stolen property to the amount of \$49 99 is confined, with some little difference in the mode of treatment in the debtor's favor? The one is a state prisoner, the other the prisoner of an angry insulting creditor.

It is not unfrequently the case, that creditors treat their debtors with all the severity allowable, in hopes that their friends may interfere and pay their debts, or become their sureties. That law is odious which can be used for such purposes. Satisfaction obtained in this way is little better, in a moral point of view, than that which is rendered under the influence of duress. A high-minded man would scorn such a resort.

The present policy leads to the indulgence of the worst passions, which fall to our lot. The creditor as he advances in the process of the law, becomes irritated, vindictive and cruel; and often resolves he will have satisfaction, cost what it may. The debtor equally provoked, determines to pay nothing—and the smaller the amount in controversy, the more bitter and unrelenting is the contest; and thus do both parties deprave themselves and greatly interrupt their own peace.

When the debtor is confined he is totally disabled from being of use to himself or his country. He is lost to his family also, and worse than lost. His condition excites their unavailing sympathies; and bears to them reproach and infamy.

If for the period he may be the inmate of a prison, he were made the slave or servant of his creditor, or of some one else less hard-hearted, as was the case at Athens and Rome, his industry might in time extinguish the debt.

Again, if a man when about to contract a debt, were to pledge his freedom in positive terms, who would not, on having account of such madness, denounce both parties in the strongest language; yet such is virtually the case. The truth is, a pledge of this kind would not be binding in law. Thus we see, that is done indirectly, which cannot be done directly.

Some alledge that if imprisonment for debt were abolished, the poor would be the sufferers; inasmuch as there would be a diminution of their credit, which to them is of much consequence. It has long been my opinion that our institutions have too much encouraged the use of credit. An opposite tendency would be more likely to favor the wholesome and safe condition of society. The effects of the credit system, in the disposition of public lands, is not yet forgotten. Before it was changed, the debts from individuals to the United States, amounted to upwards of twenty millions of dollars. There was not the least prospect of payment being made. The banks which had flooded the country with their notes had failed, and their paper was almost worthless. The purchasers became clamorous for relief. They would elect no man to Congress who would not promise them favors. They succeeded. But had the Government declined doing any thing, and like Shylock demanded exact fulfilment of their bonds, scenes disgraceful to the country must have ensued, not unlike those exhibited at Athens, before Solon gave law. Let me ask if it would not be, generally speaking, much better for both the rich and poor to be more scrupulous about going in debt? It is the case, I am aware, that occasionally a speculation, even a fortune, is made by a free use of credit. But occurrences of this sort are almost as rare as drawing high prizes in a lottery. Happen, however, they do, once in a while, which induces many to hope, they too may be lucky. If we look around among our acquaintances, and examine their relative prosperity, I believe we shall determine in favor of

those, who, to use a common expression, "pay as they go." A dependence upon present credit is too habitual. Many will deny themselves no comfort, no enjoyment, while they have money—and so it is with others while credit lasts.—Pay-day is looked to as distant, and calculations made upon data, as is hoped, unfailing data. Every man who ventures to pry into futurity, has his flattering hopes and golden prospects—but how few realize them. To return to the poor man, if he must have his pound of coffee, or bottle of whiskey, would it not be more prudent for him to earn the money with which he is to pay, before the purchase is made. Then he will not disappoint the vendor, nor be subjected to the costs and vexations of a suit. When the article purchased is consumed, and long indulgence given, the debtor pays with reluctance, scarcely believing that value has been received.

Another view of the main question is this. The parties to a contract, enter into it voluntarily. No debt is created but by the consent of two—Upon the failure of payment, the debtor is supposed to be guilty of an offence, for which, the payee has a right to punish him. Now let me ask if the creditor himself has not, in some degree, participated in the guilt? He has aided in giving existence to the debt, which the other is unable to meet. Is his participation not evident, if, as is often the case, he pressed and urged the debtor to buy, when but for these solicitations, the debtor's consent would have been wanting?

No man is willing to dispose of his property or money to another in bad credit, or who is insolvent at the time. The apparent ability to pay, or good name, is the basis of credit—Then, if it be to the estate or honesty of the vendee, that the creditor looks at first, in the hopes of being paid, to them should he continue to look, without permission to play the tyrant over the liberty and feelings of a citizen.

If insolvency is to be treated as a crime, or misdemeanor, as such should it always be treated. Now, one insolvent debtor is confined to jail perhaps for months, according to the wishes of a rigorous plaintiff; while another equally guilty is permitted to run at large. Now a citizen, an honest one too, who cannot pay a dollar, may be sent to jail for an indefinite

period, and if he had stolen \$49, the punishment is but little more severe.

The lenity of the legislature has exempted ever officer and soldier of the Revolutionary War, and every female, from arrest on process for any debt or demand founded on contract. This argues well, and is calculated to raise hopes that the provision may yet become general.

To meet the evils incident to the present system, I would propose the disuse of the *Capias ad Respondendum*, and the *ca. sa.*, except in cases where proof might be submitted, that the debtor was about to abscond, or leave the country—Then it might be proper to arrest him on mesne process; and there could be no hardship in this, as he might well be deemed as being under the influence of a fraudulent intention. The *ca. sa.* might be resorted to in cases where it might be made evident the defendant was in possession of money, or had secreted property.

The change at first may prove defective; but in time, the more important errors and defects, could be obviated. There is surely enough to justify the experiment, as so few make payment when imprisoned. Those who require their freedom at the expense of the insolvent act, pay too dearly for it. I was assured yesterday, by a very intelligent member of the Senate, and who acted for several years as commissioner of insolvents, that all the property ever assigned to him as such, was insufficient to pay the fees; and that upon his resignation, it was almost impossible to engage the services of any one in that capacity.

From the tabular statement from Baltimore, it is placed beyond doubt, that imprisonment eventuates in heavy losses; and such I have no doubt, is the case in this state, independent of moral considerations. Is it possible that commerce or any other interest requires such an auxiliary? one whose concomitants present such fearful aspects?

Had imprisonment for debt been unknown to our statute book, until the late session of the legislature, we might expect, ere long, to hear of the use of tar and feathers and other acts of outrage.

Not long since a highly respectable meeting was held in Boston, whose object was to discuss the propriety of abolishing imprisonment for debt. The expression was unanimous, I understand, in favor of the innovation. They went so far as to adopt sundry resolutions, one of which was, that they would vote for no man for office, who differed from them on this subject. This convention did not consist of upstart politicians, who wished to curry favor with the populace; but of gentlemen ranking high as scholars, legists and citizens.

[NOTE.—Among the Manuscripts of Judge Campbell, has been found the following statistical paper, which refers to the preceding Essay.]

In the paper which I submitted to the Lyceum at our last meeting, some statements were made, and arguments offered, to prove the inefficacy of imprisonment as a means of effecting payment. Since that time I have casually obtained some facts tending strongly to show that I was not mistaken. As the subject is one of great importance, and is in several of the states as well as in Congress, attracting the notice of citizens of much consideration, I ask to be indulged in referring to it once more.

The Prison Discipline Society in their report of 1829, the first time they allude to imprisonment for debt, say they have made a minute examination of the records of several prisons in Massachusetts. To one prison it appeared there had been forty-two commitments, and in only two cases, one of \$11, and the other of \$5, were payments made; which was as one to one hundred and forty-two of the actual debts. Thirteen were confined thirteen months and discharged as insolvent. Twenty were discharged, having nothing to pay with, their creditors being unwilling to bear the expenses of boarding longer—of forty-one other cases, three debts were paid—fifteen were imprisoned fifteen months, (a month each I presume,) and discharged, having nothing—and sixteen by creditors who declined to pay their board.

The number of persons committed to the jail of New York City, in the year 1828, was one thousand and eighty-five, the

amounts of debts paid in the jail, was \$295, which is in proportion to the debts as one to one thousand three hundred and thirteen.

In seventy-seven cases, in two prisons in Massachusetts, forty-two were for sums less than \$20, and the costs in each are just about equal to a moiety of the original debt.

Such a disclosure of facts goes far to show that revenge, malice, or whatever else it may be called, has much agency in this infatuated mode of insuring payment.

AN EXTRACT

FROM A LECTURE ON THE ADVANCEMENT OF SOCIETY, FROM A
SAVAGE TO A CIVILIZED STATE.

Perhaps there are no speculations more interesting to the philosopher and patriot, than those which are suggested by man in his savage and civilized conditions. In a state of nature he resembles the child—is ignorant, has no law except that of appetite, and yields without thinking of consequences, to his worst passions. To intellectual enjoyment he is a total stranger; and the face of creation, however variegated, has no charms for him. Although of an order in the scale of being more elevated than that of the beasts which he sees around him, he is scarcely conscious of his superiority. That he is to discipline the elephant, and control the lion and tiger with ease and safety, is not believed or anticipated. His wants being natural ones, are but few—few however as they are, the means of furnishing them are often so precarious as to leave him wholly unsupplied. The pressure of indigence and thirst of revenge are almost the only incentives to action, which he feels. Making provision for the future, forms no part of his policy, as he is well assured the possession of property would invite aggression. As in a state of barbarism there is no recognition of rights, but what can be sustained by superior force, the weak and timid become the easy prey of the fierce and daring. Thus is all the inducement to industry, beyond what is imperiously required to provide for instant want, entirely prevented. As man, however, in this rude state multiplies his species, villages and neighborhoods are formed, which may be considered as tribes and nations in embryo. The weakness and fears of individuals, acknowledged to constitute the strongest bonds of society, have their full influence. Men of the same vicinity, acted upon by a common desire of safety, enter into combinations—territorial boundaries are established, very often at the expense of blood; and the machinery of government in its simplest form, is put in motion.

Although it is soon found upon experiment that any government is better than none, it is long, very long before individual rights are well defined and protected. Indeed, it is not at all strange, when we consider the character of man, that the work of civilization should be almost imperceptible. Ignorance, indolence, superstition, an attachment to old customs, warlike habits, competition for ascendancy, impatience of legal restraints, and the imperfect administration of justice, all combine to interrupt the march of improvement.

It seems to be conceded by many authors who have touched on the subject, that one of the most important advances towards the formation and happiness of society, is the establishment by law, of an exclusive right to property.—Some, however, entertain a different opinion, and have offered to the world theories rather enchanting to the inconsiderate, based on the assumption that man is a creature of perfectibility. From such schemes we are not authorized to expect much else but infidelity and laxity of morals. The power to appropriate exclusively to our own benefit, the fruits of our ingenuity and industry, is the most forcible incentive that can be offered to our consideration. There is an instinctive fondness for ease, and repugnance to labor, which few are disposed to overcome when the prospect of reward is not flattering. Who will sow, apprehensive that another without the danger of accountability may reap his harvests? Even in this country how many do we see “stand all the day idle,” unmoved by the temptations of an independent competence.

Regulations which encourage industry, will in due time greatly diversify the avocations of men. Neither this nor that pursuit can be considered as the exclusive road to wealth. To the versatility of genius, a wide field is opened. While some “till the ground,” others look for subsistence in the exercise of the mechanic arts; nor is commerce, so advantageous to a country, neglected. To facilitate the transactions of men with each other, and to carry on the operations of government with certainty and despatch, a knowledge of letters becomes indispensable—and happy is the country in which the duty of instruction is scrupulously fulfilled.

It may be cause of felicitation to us, that in the United

States the advances in the arts of civilization have been rapid beyond comparison. Sure we are, no nation of which history gives us any account, has so increased in numbers, which is without doubt, owing mainly to the fertility of the soil, and the adaptation of our constitution and laws, to our exigencies. When man is placed in circumstances importuning him to aspire to competence and wealth, and the elegances and comforts of life, many are disposed to obey. Here it may be remarked, it is a fact not to be concealed, that as society becomes refined from the possession of abundance, and from extensive intercourse, the list of individual wants will increase. This, however, is not to be considered an evil, as the means of their gratification lie within the reach of diligence and enterprise. In the multiplication of wants, and in the ability to supply them, is said to consist the greatest portion of human happiness.

If our government have just claims to eulogy, and a cheerful support, sure we are its excellence is traceable to the people who have in the most ample manner refuted the absurd proposition that they are unable to govern themselves. As those who have given us law, have been called from every department of the community, the wishes and wants of all classes have been represented and provided for. Excellent, however, as may be our municipal regulations, they are insufficient to restrain *all* aggression. No section of our country is exempt from violence and crime, but even the bills of aggression are thought to diminish and fall far short of similar ones in the civilized nations of Europe. There penury and wretchedness, often the result of oppressive measures, may afford some apology for thefts and robberies. Here no such extenuation can be urged, as moderate labor offers to all the necessities of life.

The nation most likely to stand highest as such, is the one in which the love of virtue for virtue's sake is the ruling motive. Philanthropy and the conscientious regard of the golden rule, are not the proceeds of enactment *vs.* crime. They spring from other and higher sources than the coercion of law. He who is restrained from transgressing the limits established between virtue and vice, by no other consideration than that

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If our government have just claims to eulogy, and a cheerful support, sure we are its excellence is traceable to the people who have in the most ample manner refuted the absurd proposition that they are unable to govern themselves. As those who have given us law, have been called from every department of the community, the wishes and wants of all classes have been represented and provided for. Excellent, however, as may be our municipal regulations, they are insufficient to restrain *all* aggression. No section of our country is exempt from violence and crime, but even the bills of aggression are thought to diminish and fall far short of similar ones in the civilized nations of Europe. There penury and wretchedness, often the result of oppressive measures, may afford some apology for thefts and robberies. Here no such extenuation can be urged, as moderate labor offers to all the necessities of life.

The nation most likely to stand highest as such, is the one in which the love of virtue for virtue's sake is the ruling motive. Philanthropy and the conscientious regard of the golden rule, are not the proceeds of enactment *vs.* crime. They spring from other and higher sources than the coercion of law. He who is restrained from transgressing the limits established between virtue and vice, by no other consideration than that

of the penalty imposed upon such transgression, deserves not the character of a good man. Such an one will prove hostile to the best interests of his country, as often as the prospect of eluding detection is flattering. The promotion of peace and prosperity, will very much depend on the love of truth and integrity. "Morals supply perfectly the necessity of laws; laws supply but imperfectly, and in a miserable manner, the place of morals." And in what manner is this state of morals, or practical reason, which promises so essentially to supersede legislation, and to swell the streams of human happiness, to be attained? Certainly not by annexing heavy penalties to every transgression. Certainly not by the exhibition of whips, fetters, penitentiaries and halters. Upon the hardened offender who by the repetition of offenses, has placed himself beyond the hope of repentance, these old fashioned engines of reformation, may impose some restraint. However much the good and the pious, who often weep over the frailties of man, may desire to see the necessity of these scourges of vice abolished, the period when so joyful an event will take place, need not be looked for as at hand. The achievement, if at all practicable, must be gradual, and be the work of ages. It is only to be accomplished through the medium of a virtuous education: when instruction shall be imparted to all classes through the instrumentality of common schools, academies and the higher institutions of literature—when the benevolent christian philosopher—when the benevolent of all creeds and denominations, shall harmoniously combine their efforts to disseminate useful knowledge, to instill correct principles, to train up the young in habits of industry, frugality and sobriety—to inculcate the rules of what is truly honorable among men, and to despise what is mean and contemptible. The success of so great an enterprise will be utterly hopeless without the co-operation of the fair sex. Without paying them an undeserved compliment, it may be asserted without care for contradiction, that their influence over our sex, is not duly considered. Who is there that does not admire and revere an amiable woman? If she exhorts to religion or morality, if she defends the cause of virtue, or reproves vice, her voice is heard with regard? If she deals in acts of charity and relieves the dis-

tressed, is not her example. felt and acknowledged? To fit her for a proper discharge of the duties assigned to her station, and to give her an elevated standing in society, the cultivation of her mind is indispensable. From woman, as a friend and parent, we receive our first lessons, which should be those of wisdom and prudence, since early impressions are the most permanent and influential.

The Bible itself, in the hands of impious men, has received emendations, new versions and dangerous commentaries.—What is plain and imperious in the exaction of duties, is so changed as to suit the depravity of man. The world is imposed upon by *divines*, who are too selfish to be candid—too learned to be content with an intelligible system of theology.

So it is with many of the modern expounders of the constitution. Not content with a sound, useful, and practical interpretation, they start doubts, and become the advocates of doctrines too absurd to deserve serious refutation—or still more preposterous, will defend a measure to day as constitutional, and to-morrow oppose it as unconstitutional. Some of our most distinguished men like the crafty fox, have crossed their own tracks, and still claim the merit of consistency—and thus the people have in some respects, become bewildered and misguided. The ingenious theologian will descant on free will, election and predestination, until the great body of his audience are left in pitiable confusion. So it is with the champions “of state rights, nullification, secession,” and other hateful absurdities. They argue themselves and others into a belief of things so repulsive to truth, as to shock the dispassionate and thinking observer. In this state of things, although we admit there is much to afford consolation, is it not highly necessary that the people should give the constitution a close and thorough examination, catechise their questionable rulers, and demand the forfeiture of their infidelity.

There are in our system of government, certain fundamental truths, to which the safety and happiness of the country require the most pertinacious adherence. To lose sight of these, is to surrender the best defenses of freedom, and expose ourselves to the evils of anarchy. What are morals without truth, which, indeed, is their basis. It is truth which gives virtue and efficacy to those ligaments that hold men together in social life; and to this principle the recurrence should be frequent, abstract from the names of influential individuals. The disciples of Aristotle, in defending the doctrines of their master, thought themselves sufficiently argumentative by alleging, “he said it.” This mode of reasoning is yet in use. The opinions and glosses of the favorite politicians, the popu-

lar man, advanced in the ardor of debate, in the tumult of excitement, are offered as the true exposition. These are not the oracles to be relied on—they are at the best but blind guides.

We feel exceedingly solicitous that our readers should carefully discriminate between men and measures. The distinction is wide, and to the unbiassed, must appear obvious. Principle is always the same, immutable thing, unvarying, and unchanged by circumstances. It may be disguised and even concealed by the inventive and crafty, but when the delusion is dispelled, and the mask removed, it appears the abiding reality. This is not the case with man. His mutations have been personified in the fabled Proteus, whose powers enabled him to assume all shapes and forms. Men change with the times and circumstances. Governed by feelings, passions, and self-interest, they are mutable as the winds, rendering the utmost vigilance necessary.

IMPORTANCE OF UNDIVIDED APPLICATION.

It is my purpose to say something of the importance of giving a fixed and undivided attention to every subject, which, in the course of our studies, we may be required to consider.

Such is the dispensation of Providence, that, generally speaking, nothing highly valuable can be obtained but at the expense of much labor. Riches and honors are not the achievements of a day; they are the offerings of years of industry and toil.

The same remark is true of knowledge, which is never successfully won without laborious investigation. To the superficial observer, this may appear a hard condition of our nature; but to the philosopher who sees things as they are, and "vindicates the ways of God to man," the appearance is quite otherwise. He knows that employment is the duty of man, from which there is no escape without exposure to evil. Certain it is, however, that many pursue objects intrinsically worthless, with a high degree of zeal and application; therefore, I do not wish to be understood, as intimating that every acquisition which is the fruit of laborious effort, is a substantial good. This is not my purpose; for daily proof is afforded that many pursue mere phantoms.

Some indulge in lamentation, that knowledge lies beyond the reach of indolence and ease. The regrets of such are vain, admitting of no remedy, unless by reposing with folded arms, they can, in time, "learn to be happy, that they know no more."

The hypothesis, that the intellectual powers of all, at birth, are alike as to strength and perceptibility of improvement, has had advocates. In opposition to this idea, it may be asserted with confidence, that children do, at a very early period, disclose different grades of capacity. Every instructor knows that some infants at the age of three or four years, give more impressive indications of genius, than others do at

twice those ages; and it may be added, this inequality is not only visible in youth, but in the maturity of manhood. However this may be, nature is not so generous to some, and parsimonious to others, as at first sight she may seem to be. Her supposed partialities do not form a just ground of complaint. If to this man she may have given more memory, upon that one she has conferred a larger portion of reason. If Virgil was a poet, Cicero was an orator. While some acquire distinction in the cabinet, others gain honors in the field. Besides, it may be remarked that the most intelligent men are not always the most discreet. By their imprudence they place themselves on a par with others who make no pretension to superiority of faculties.

When we undertake a subject which is new and difficult, a mastery is not readily gained, unless we bring to the examination all our mental energies. The permission of our thoughts to wander like the eyes of the fool, is a serious hindrance to advancement. It is like the withdrawal of the mechanics from the erection of an edifice—the operations are all suspended.

It is no inconsiderable task to rule the mind, and keep it in due subordination. So wayward and incorrigible is it frequently, as to defy our authority, and range without control. It appears in some degree to set up for itself, and scarcely to participate of our identity, or to form a part of ourselves. But few of us can boast of total exemption from tedium, which forms a condition of all others, the most unpromising for study. A book of solid worth is opened—we read without spirit, wholly failing to comprehend the author's meaning; turn back and read again, "no wiser than before." Disheartened and irresolute, we relinquish the employment, brooding over trifles or misfortunes.

To train the mind, and have it perfectly free for action, requires the most exact discipline—and this must be the discipline of years. For an achievement so necessary, there is no season more propitious than that of youth. To sustain this proposition, it is only necessary to look around upon the occurrences of the day, whether they relate to literary pursuits, or the acquisition of the mechanic arts. The pliancy of childhood,

its ready adaptation to habit, and freedom from the bustle and concerns of riper years, give pledges of success. In the order of nature, youth is the season of tuition. Then it is that elementary knowledge is acquired according to the different systems of education—or rather it may be said, the keys are obtained, by which admittance to the rich stores of wisdom is secured. The supervening cares of a family, and pecuniary speculation, present no impediment to success. The contemplation of wealth to be acquired, and the anticipated joys of its appropriation, do not paralyze the faculties, and render the means of instruction unavailing.

It has been reported that a gentleman, who had devoted fifteen years to mercantile pursuits, with great assiduity and success, was disposed to engage in political life. After being elected to an office highly honorable, and which afforded an opportunity of making an exhibition of talent, and of being useful to his country, he commenced a course of reading and study, suited to his situation. His books and good resolutions were unavailing. His thoughts were uncontrollable. Smith's *Wealth of Nations*, Pitkins' *Statistics*, and the *Federalist*, afforded nothing to fix his attention. Every effort to read ended in a forgetfulness of the subject—the book was inadvertently closed and laid aside; the pen assumed, and hours spent in money calculations. His political career was short, being displeasing to himself and fruitless to his country.

This gentleman's mind having been long accustomed to calculations of profit and loss, received upon its countenance, the very impress of cash. To give it a new mould was beyond his power. Direct his thoughts as he might, they soon returned to the idol of his adoration.

An ability to command the thoughts, and regulate them at pleasure, is of vast importance. The wants and necessities of civilized man are numerous and demand convenient provision. Food, raiment, and shelter, he must have, and in the enjoyment of these, he claims the protection of law. The acquisition of necessities so important to human comfort, offers abundant matter of deep interest for the employment of mind; and how, it may be asked, is so much to be performed, if over one topic the thoughts are to be permitted to hover incessantly?

santly? No one in his sober senses can pronounce the citizen wise or useful who *enslaves* his attention to a single point.

To fill the places assigned to us in society, with advantage to ourselves and those connected with us, we must dedicate intellectual powers to objects worthy of their employment. Our pursuit must be of something else than the philosopher's stone, or the equally unattainable discovery of the perpetual motion. The faculty of employing the mind, when, and on what subjects we please—to transfer it this hour to questions arising from our daily avocations, and the next to something literary, is truly a desideratum. But this facility of transfer, ought not to bound our wishes. Our aspirations should reach an attainment equally useful; namely, that of intense application. It will answer but little purpose to give our abstruse proposition a mere passing notice. Knowledge is not purchased at so cheap a rate, by the most towering genius. A favorite maxim of the ancients was, that "truth is in a well." This figure of speech may have been intended to represent that truth lies deep, is transparent, and indispensable like water, and only to be obtained at the cost of effort.

To secure a ready and just perception of things, our whole soul should be excited, undisturbed by those tumultuous passions, which are so hostile to successful inquiry. In proportion to the importance of the subject, and the obstacles to be overcome, should be our struggles. The precious metals are not discovered without digging. The rubbish is to be removed, and other preliminary obstructions surmounted, before a happy issue can be expected. The man who is impatient to possess the anticipated treasure,—a few minutes at one place, then goes to another, and another,—soon wastes his energies, sits down in despair, and frets, indignant at his luck. He forgets that perseverance is the only condition upon which he can base his hopes of reward. So it is in the field of literature. Feeble and despairing trials end in disappointment—but it is otherwise with persevering and well-directed industry.

Many eulogies have been pronounced upon the talents of Bacon, Boyle, Locke, Newton, Franklin and others, who

have left monuments of their greatness, upon which the annihilating hand of Time must fail to make an impression. Merited as said eulogies may be, the world is not less indebted to these distinguished men for their untiring diligence, than for their vigorous minds.

In the illimitable extent of science, no work of reputation has ever been produced without great exertion. When we read the biographies of men, eminent in the lofty walks of intelligence and literary accomplishment, we read of days and nights being spent in study. The lamp is scarcely extinguished for a few hours of invigorating repose—and the pen is ever at hand to record a happy thought. If this picture then, be something to discourage those who are not inclined to think, then are usefulness and fame and immortality, presented to animate others, who delight in the imitation of great models.

ESSAY ON DR. KNOX AS A WRITER.

If we may be allowed to judge of an author's heart by his writings, we can have no hesitation in deciding in favor of the Doctor's. In almost every sentence, he manifests a peculiar regard for the interest of virtue. In what library can we find an author who evinces a greater attachment to the happiness of mankind; or more sincerely detests vice? Can one be found? The immortal Addison need hardly be excepted. Will it be alledged, the Doctor was a good moralist but a cold christian, or he would have spent more of his time in promulgating the glad tidings of salvation than what he did? I will just remark, there are many ways of being useful. To moralize man, is laying the ground-work of his eternal felicity. It is universally admitted that Mr. Addison rendered more service to his country and his God, in the publication of the papers called the Spectator, than any one of his cotemporaries in the sacred desk. Like Addison, Dr. Knox places himself under the shining banners of the *virtues*, and by his superior talents *their* lustre receives an additional brilliancy—a brilliancy that must be gazed on with admiration, even by the sycophant and debauchee. Should the vain and immoral peruse the Doctor's essays with attention, I feel justifiable in saying, at least a temporary relinquishment of their foibles would be the result. Our author, while forming his essays, did not dread the popular opinion. Truth, triumphant truth, was his pilot—to ameliorate the condition of the world, his primary motive. He does not, like many writers, barely tell us a thing is so; but he brings a cloud of witnesses to prove it. Like a good preacher, he tells us what is proper, and then enforces it by the most insuperable reasons.

But the Doctor is not only entitled to our highest encomiums as a friend to virtue and happiness; but as a gentleman of profound erudition. Though he was but a youth when he composed the greater part of his "Essays, moral and liter-

ary," I think he might with much pertinence be called the breathing library. He furnishes abundant attestations of his intimacy with all the Greek and Latin classics. His acquaintance with them is not superficial; is not such as could have been acquired by a hasty reading. He quotes the authors of antiquity with ease—"just as the skilful parson would his bible." His familiarity with them enables him to point out their beauties, their perfections, and particularize their defects.

He draws a parallel between ancient characters with much facility and judgment, which he could not possibly do, were he a mean antiquary. He is also intimate with the modern writers of eminence—speaks of them in his essays as if he had been their chamber companion; or had studied their compositions as the ingenious and industrious boy studies his grammar.

The works of the eminent did not always occupy his attention. He discovers a very considerable knowledge of numberless authors who are not honored with the epithet classical. He has studied those whom he calls the minor poets so carefully as to be capable of forming a comparative estimate of their respective talents. Many of their pieces he has pronounced excellent.

Mr. Knox appears to have an almost universal acquaintance with every subject he undertakes to discuss. He labors under no want of words or sentiment, and is blessed with the disposition of concluding much to his praise. At the end of each essay, the reader feels a wish that the author had been more prolix. Many writers and orators fatigue intolerably—will not be governed by the excellent rule, "Quit when you've done." The unreasonably lengthy treatise is thrown aside by the offended reader, whose patience is completely exhausted; and the auditor, insulted by the speaker's irksome prolixity, either yields to the god of sleep, or retreats to seek relief. Numbers read and study much, yet want judgment in expression. Many of the old divines, Boston, Flavel, Burnet, &c. fall under this class. In this respect Knox is peculiarly fortunate. In every sentence we see perspicuity, purity and precision. He does not forsake his subject in

quest of fine, high-sounding words, to render his diction more elegant. To this practice youth are much addicted: they are enamored of what they call embellishing. Every noun must have a pompous adjective attached to it. This, think they, discovers genius, an extensive knowledge of language, and exhibits their sentiments to great advantage. A practice so censurable as this, is scarcely pardonable in boys, as it displays a barrenness of ideas, and a wish to impose upon the reader style for sentiment. This error Mr. Knox has carefully avoided. He comes forward with manly independence. Matter and diction spontaneously present themselves, and are recorded to improve and entertain mankind.

His essays display an unusual richness of intelligence. He appears to have availed himself of all the instruction which books could afford, and to have learned much from his own personal observation. Is it not a matter of astonishment that a man as young as he was when he composed his essays, and of so much reading, should be so well acquainted with the ways of the world? That he was a close observer, cannot be doubted. He exposed the follies and foibles of the times in such a way as to induce a belief he was always associating with company. I must suppose when he was not in his room, his eyes and ears were busy. Nothing passed without affording him an observation, or without adding to his general fund of information.

The Doctor was a man of taste. The beauties of books and of nature always afforded him pleasure. He was never entirely alone. His contemplative mind was a pleasurable compeer. A sentiment of some favorite author would give origin to an excellent essay. His sentiments, his diction, his mode of thinking, are proofs of his refinement. Whatever fascinates this excellent author is something inherently attractive—something that must please each classic taste. He gives each his due proportion of respect. He immortalizes his own name by his generous attempt to rescue the name of the unfortunate Chatterton from the dark tomb of oblivion. He proves he has a benevolent heart—a heart ever disposed to do justice to the dead. He pronounces a panegyric on this extraordinary youth; but wisely forbears to approve his rashness.

Our essayist is well calculated for the entertainment and improvement of every class of our citizens. He furnishes a rich variety. The literati can find many judicious remarks on most of their favorite branches of literature. The aged, the juvenile, the divine, the physician and lawyer, will all find him a valuable companion. I cannot forbear observing, it would be a happy circumstance, could the fair sex be persuaded to substitute Mr. Knox and other similar authors, in the room of those romances and novels which are read and admired, if to any purpose, a bad one. The books which I now censure, seldom compensate the reader: The affections receive no improvement. Such works too frequently dismiss virtue without her just reward; and vice is permitted to stalk abroad with the most unmerited recommendations. Every discreet person will be as circumspect in the selection of books as company. It is doubted by none who have any knowledge of the human heart, that conversation has a powerful influence in forming our dispositions; then conversation, whether with books or men, that is calculated to endanger our felicity in the smallest degree, ought to be avoided. No danger on this score can be apprehended from Knox. His language is chaste; his sentiments chaste. He might be read merely for the sake of his style; or were his style less beautiful, he might be perused with avidity for his wisdom. Who then cannot sit down with this learned and judicious writer, and almost forget to rise.

I earnestly recommend the study of Knox's Essays to all who come under the denomination of students—to all who feel a wish to appear on the great *theatre* to advantage. Such will find many things to stimulate to industry and perseverance. Should they be anxious to excel in composition, in Knox they will find an able assistant. His method of treating subjects will be peculiarly serviceable. They will see many learned remarks on the books which must compose a respectable part of their reading. They would not only avail themselves of this singular advantage but of another as great, yea, greater. The ability with which he inculcates the principles of morality could not but produce goodly effects on the minds of the young. To be virtuous is just the same thing as to be happy.

But, great Knox, I am presumptuous in attempting thy praise. I despair of succeeding. It is a poor service I render thee. Could I wield the pen of that distressed and rash boy, whose talents thou hast justly eulogized, and whose inauspicious exit every friend to science must lament, I would pay thee more exalted honors. I move in an humble sphere in the republic of letters, and am unable to attach to thy brow the laurels thou so richly deservest for the boon thou hast conferred upon the world in the publication of thy Essays.

ON SLANDER.

Good name in man and woman
Is the immediate jewel of their souls.
Who steals my purse, steals trash; 'tis something, nothing!
'Tis mine, 'twas his, and has been slave to thousands;
But he who filches from me my good name
Robs me of that which not enriches him,
And makes me poor indeed!

SHAKESPEARE.

Deity has wisely implanted in the human breast a desire to be respected. This disposition may justly be esteemed as a characteristic of his wonderful goodness, and ought to excite in our hearts the most sensible gratitude. Such a desire may be well ranked among our strongest motives to act well our part. Notwithstanding the depravity of human nature, we, generally speaking, know how to appreciate an action; but little reflection is necessary to ascertain its real character—whether it is produced by a laudable or an unworthy cause—whether it is entitled to our praise or dispraise.

So strong is our inclination to gain the esteem of the world that if we chance to deviate from the right way, we offer many apologies and excuses for the departure. Indeed, the dread of censure drives us many times to wicked resorts: we plead human frailty, inexperience, or the examples of others, if we cannot deny the fact. We all have some idea of the advantages of a good name. Daily observation attests the anxiety many men have to attain such a name, who are strangers to the practice of virtue; but the efforts of such must prove abortive.

The reputation of a good man cannot be too highly valued. It is not the production of a day, nor a year, and it is not to be acquired by barely abstaining from the perpetration of offenses. It grows out of a steady, undeviating discharge of those positive duties which are incident to us as rational beings, and as members of a community.

A good name has many great advantages—it possesses charms with which every description of citizens must be

enamored. To the owner, it is real wealth—such as the mines of Peru never produced. It affords him the means of acquiring a competency; and, what is better, it yields to his heart an indescribable satisfaction, which is not to be obtained by gold and silver. A poet of great fame has justly said,

“A wit 's a feather, and a chief 's a rod,
An honest man 's the noblest work of God.”

What then are we to think of him whose poisonous breath tarnishes respectability?

High as a good name ought to be appreciated, how numerous are those who labor assiduously to blast it—to scandalize merit? What neighborhood is exempt from slanderers? Rather, where is the man of honesty whose character has not been assailed by defamation? The good man rises like the mighty oak on the mountains, and alas! his elevation exposes him the more to the blasts of detraction. Sometimes he survives the mighty attack; but more generally falls; and his only consolation is a consciousness of having merited different treatment.

He who speaks evil of his neighbor may very aptly be compared to the midnight assassin, who makes his approaches when least expected, unsheaths his sharpened steel, and buries it in the bosom of the innocent unsuspecting citizen—or to the robber, who leaps disguised from his unnoticed covert, and plunders the unwary traveler. He indeed is worse—he robs of that which cannot ameliorate his own condition, and which to the possessor is life itself. Who, I ask, could wish to survive his injured, ruined reputation? Who that has sensibility could endure to live slighted and despised? To be treated with unmerited indignity is among the greatest misfortunes that can befall a human being. An attack upon character must proceed from the worst of motives—envy. This passion prompts men, who are conscious of their own insignificance and unwilling to behold the prosperity of others, to deal in defamation. Rankling in the heart, it finds relief in the pollution of a good name—in the contamination of a whole neighborhood. The envious man sickens at hearing

his neighbor extolled for his industry, his honesty, and other noble virtues. He listens with painful anxiety—he speaks, he demurs; says he has one objection to him, which prudence and his friendship induce him to conceal—that he dislikes telling things which might turn to the prejudice of any body, particularly his neighbor—that every body will hear it before long. Thus he discourses in this ambiguous manner—hints, tells one half and leaves the rest to be conjectured. He is solicitous to asperse the reputation of his neighbor, and at the same time impress bystanders with the belief that he abhors slander. At other times he is more bold and daring. He will with wonderful industry circulate some infamous report, and give some other person, whose name he is under the strongest promises to conceal, as the author. He is very cautious—is unwilling to encounter a law-suit, and does not like to say much; or at least, he is careful to conceal names, and will use such descriptions as no one can doubt.

It would be a happy circumstance were the fair sex free from this monstrous vice—a happy consideration indeed, if they would, by their example, endeavor to suppress it in the other sex. Such an accomplishment would certainly raise them many grades higher, and entitle them to the veneration of all the lovers of true felicity.

Miss Frizzle appears to be quite dissatisfied with her present reputation among the youths of her acquaintance. Though she is not a beauty, her person is far from being despicable. She dresses fine, appears very complaisant, and smiles like an angel; but alas, her suitors are few: she thinks herself neglected. Indeed, report says she is frequently in the last stages of despair. Upon inquiring into the reasons why Miss Frizzle is so shamefully forgotten, I learned that she takes such unwarranted liberties with characters that she is really dangerous. So sure as she attends sermon or any other assemblage, so sure is she to make the most sarcastic and wanton remarks on her return. She tells fifty tales prejudicial to the young ladies in the vicinity, which in every recital she magnifies. Such a one is sluttish in her dress, and would make a dirty house-keeper. Another is deeply in love with a

young man of no merit. Another is always trolloping about, hunting a sweet-heart: and another is a stranger to chastity, &c.—and she abuses their parents without bounds for not teaching their daughters better. And so many have had their feelings wounded in this way by Miss Frizzle that she is very unpopular. I might mention she does not confine her severities to her own sex. Young gentlemen who do not bow and pay their respects to her, or who show attention to other young ladies, find no mercy at her hands. She spares no pains to detract from their merit, hoping it will mortify their favorites. Such conduct, I may venture to say, bolts the temple of Hymen against her.

It is a fact too notorious to be doubted, that many undertake the investigation of character, who are by no means capable of doing justice to such a task. The person who undergoes the ordeal need not calculate on having justice done him. He receives no credit for his virtues, while his foibles are magnified into crimes and misdemeanors. The envy of the connoisseur affects his vision, and will not allow any other to possess qualities superior to his own. He exults in the discovery of a blemish, as if it were to draw upon him the plaudits of an interested community.

Antiquity, as well as modern times, furnishes abundant testimony of the jealousy with which men generally view the good actions of others. Plutarch, in his lives, records the treatment Aristides received at the hands of the Athenians. Because he labored to be called Just, he suffered ostracism or banishment.

Since defamation is attended with such ruinous consequences—since the peace and felicity of an individual, indeed of a whole family connexion, may be destroyed by it—how many and how strong are the arguments in favor of checking such a vice. In considering this subject, may we not feel anxious for the condition of the *fair sex*. A lady of exalted merit may sustain the most irreparable loss from a single wink or nod. Indeed, sometimes a silence may be so ingeniously and significantly calculated, as to injure if not demolish the fairest reputation. And when a female suffers an attack of

this kind, though innocent, what must be her sensations. An attempt to retrieve the loss may but involve her in greater difficulties. Some miscreant may appear and attest to the truth of the report, and her vindications be turned into mock and ridicule. Her nerves may be too delicate, her fortitude insufficient to prevent her descending to the grave.

Rather stab some vital part,
Than wound dear reputation.

ON USURY.

It has been the policy of every State in the Union to legislate on the subject of interest, settling the rate and most generally threatening heavy penalties in cases of violation. Indeed, such, it may be added, has been the case for many years in all countries having claims to the character of commerce and civilization. Various causes have had their influence in establishing a particular rate, such as the abundance or scarcity of circulating medium, and the risk connected with the forbearance of payment.

Some centuries ago, when Great Britain was overrun by ignorance and superstition and felt the full influence of ecclesiastical tyranny, all interest, or compensation for money lent, or for the forbearance of money due, was denounced as a mortal sin. The argument urged at the time in support of this conclusion was, that "money could not breed money;" hence the guilt of taking interest was inferred. The whimsical absurdity of this reasoning became so conspicuous upon the dawn of science, that a new policy was adopted.

Usury is the compensation or reward given for the use of money or other article. Interest, strictly speaking, is synonymous with usury, though among lawyers it is understood to be the per cent. established by law for the use of money. When the word *usurious* is applied to a contract, the idea intended to be conveyed is, that the parties stipulate to give and receive a higher rate than is legal. Upon advertent to the provisions of the act passed the 29th day of December, 1804, fixing the rate of interest, and for the prevention of usury, we will readily discover that the Legislature designed that illegal interest and usury should mean the same thing.

For the peace and prosperity of society, it is found indispensable that the Legislature should provide for the punishment of certain acts; some of which may be considered as offenses against the law of nature, and as positive evils in themselves. There are certain other acts, which for reasons of

State, are made criminal, not being so intrinsically; such, for instance, as vending goods without license, importing merchandise without paying duties, &c. Or, to speak more technically and in the language of the law, crimes are divided into the *mala in se* and *mala prohibita*. Of the latter class is forbidden usury. This assertion is made without much fear of contradiction, as it appears to me there is no sensible difference between the character of money and other articles of value in the absence of statutory regulations. This however I am willing to admit; that the money capitalist has it more in his power than any other man to oppress the needy and imprudent. Every week affords abundant proof with what eagerness those in embarrassed circumstances seek to obtain loans, willing to promise ten, fifteen or twenty per cent. interest. To guard men against their own improvidence and the avarice of the lender, has without doubt been a leading reason with legislative bodies in settling the rate of interest.

The Jews were permitted to receive usury of strangers, but were denied this liberty in reference to a brother. Some suppose this law now binding; but I cannot think so, believing it to have been merely a civil regulation, which expired with many others of a very peculiar character, when the Jews lost their government. Whatever may have been the policy of this rule, its observance among us would result in much practical inconvenience. The terms "stranger" and "brother" among the Jews, were susceptible, as I apprehend, of the most unquestionable definition—with us such would not be the case. The Jews composed one great family living under a theocracy, and were considered as brethren to each other, while all other nations were denominated "strangers." Here we have General and State governments, different religious denominations and families, all of which render the meaning of "stranger" and "brother" exceedingly dubious.

Some suppose the obligation not to receive usury from a brother may be fairly limited to one who is poor. In this opinion I am as little inclined to concur. As interest is an equivalent for the use of money, and I will add, for the risk of losing it by insolvency or fraud, it seems to me there is

no injunction on any one to put out his money on such terms. I will admit that the poor, especially those who are so without fault of their own, have claims to our sympathy and kindness; and that those who have the means are under moral obligations to yield relief. This much will be admitted on all hands; though the obligation be an imperfect one, not being compellable on the part of the claimant. When I am informed it is my duty to *give* to the poor to relieve his sufferings, the injunction to do so is readily acknowledged; but when I am told I am as much obliged to loan money without interest, to feed and clothe the needy, I deny that such is my condition. It is not always the case that the man of property can borrow without giving security, and to demand security of a brother who was really an object of charity, would be to offer him a gross insult.

The preceding remarks have been made preparatory to a brief examination of our statute on the subject of interest. It is as follows: "That all creditors shall be entitled to receive interest on all money after the same shall become due, either on bond, bill, promissory note, or other instrument of writing, or contract for money or property; on all balances due on settlement between parties thereto, or money withheld by unreasonable and vexatious delay of payment; on all judgments obtained, from the date hercof, and on all decrees obtained in a court of chancery for the payment of money from the day specified in the said decree for the payment thereof; or if no day be specified, then from the day of the entering thereof, until such debts, money or property is paid, at the rate of six per centum per annum, and no more." This act repeals the one passed the twenty-ninth day of December, 1804, and is dated the twelfth day of January, 1824.

As the law now is, very many good and conscientious men have no scruples in entering into contracts for the payment of more than the settled rate of interest. The disposition of money, they contend, stands on a par with that of other property; that no one is censured for taking as much as he can get in hire or rent for his wagon, his horse, his house, or his field—and in arguing the case they assert there is no penalty annexed to a breach of the law, although the words "six per

centum and no more," are used. I assent that in this State the courts very properly refuse to inflict punishment for any act which is not made penal by the Legislature; and I assent farther, that all criminal laws are to be construed strictly, and of course favorably to the delinquent. These admissions however, involve me in no dilemma, as, according to my apprehensions, gentlemen beg the question when they aver the section recited does not contemplate a penalty. What, let me ask, would a court feel itself constrained to do in rendering a judgment on a contract evidently usurious? It is the sentiment of many whose opinions are worthy of regard, that the principal with six per cent. per annum is all that would be allowed. There is, it is true, no forfeiture of the money on which the illegal interest is claimed, as was contemplated by the old act. The penalty which might be imposed, I admit, is a light one; as six per cent. is pretty generally supposed, if punctually paid, to be a fair compensation for borrowed money; and the loss of the excess would not be seriously felt.

Another view of this question will be taken, and it is one which addresses itself, with some force, to the ingenuous casuist. It is assumed as a fact that the Legislature have fixed the rate of interest at six per cent. Suppose then there is no penalty, and that our courts would so decide, would not the intelligent, reflecting, and upright man feel some "compunctious visitings" in violating a law, although it denounced no penalty to insure its observance? The known will of the lawgiver ought to be sufficient for him. He who is restrained exclusively by locks and bolts and bars from aggression upon the rights of others, deserves not our praise. The man who is truly virtuous is so from his love of virtue. "Poor is the saint whom dread of hell has made."

THE GIRTYS.

Perhaps there was no part of America so highly prized by the aboriginals as Kentucky. To them its importance consisted not so much in the fertility of soil as in the abundance of game which it afforded. Indeed, by common consent, they abstained from occupying it with their families, reserving it exclusively for a great hunting ground. The interminable cane brakes and numerous *licks*, yielded subsistence to such vast herds of buffaloes and deer, as have never been seen elsewhere.

It is not at all astonishing that the Indians should have defended, with great obstinacy, a country so dear to them, against the incursions of the whites. That they were vigilant, active and cruel cannot be denied. They were provoked to a degree of phrenzy, which led to acts of daring and outrage shocking to humanity. In their atrocities they had the aid and countenance of the Girtys, of whom a brief account will be given.

Girty, the father, was an emigrant from Ireland, about eighty years ago, if report can be relied on. He settled in Pennsylvania, where that liberty, which he sought, degenerated in his possession, into the basest licentiousness. His hours were wasted in idleness and beastly intemperance.— Nothing ranked higher in his estimation, or so entirely commanded his regard, as a jug of whiskey. “Grog was his song and grog would he have.” His sottishness turned his wife’s affection. Ready for seduction, she yielded her heart to a neighboring rustic, who, to remove all obstacles to their wishes, knocked Girty on the head and bore off the trophy of his prowess.

He left four sons, Thomas, Simon, George and James.— The three latter were taken prisoners by the Shawanoes, Delawares and Senecas, in that war which developed the military talents of General Washington. George was adopted by the Delawares, and continued with them until his death.

He became a perfect savage—his manners being entirely Indian. To consummate cunning he added the most fearless intrepidity. He fought in the battles of Kenhawa, Blue Licks and Sandusky, and gained himself much distinction for skill and bravery. In his latter years, like his father, he gave himself up to intemperance, and died drunk, about twenty-five years ago, on the Miami of the Lake.

Simon was adopted by the Senecas, and became as expert a hunter as any of them. In Kentucky and Ohio, he sustained the reputation of an unrelenting barbarian. Forty-five years ago, with his name was associated everything cruel and fiend-like. To the women and children in particular, nothing was more terrifying than the name of Simon Girty. At that time, it was believed by many, that he had fled from justice and sought refuge among the Indians, determined to do his countrymen all the harm in his power. This impression was an erroneous one. It is true he joined the Indians in their wars with the whites and conformed to their usages. This was the education he had received, and those who were the foes of his red brethren were his foes. Although trained in all his pursuits as an Indian, it is said to be a fact, susceptible of proof, that through his importunities, many prisoners were saved from death. His influence was great, and when he chose to be merciful, it was generally in his power to protect the imploring captive.

His reputation was that of an honest man. In the payment of his debts he was scrupulously exact. Knowing and duly appreciating integrity, he fulfilled his engagements to the last cent. It is stated that on one occasion he sold his horse rather than incur the odium of violating his promise.

He was a great lover of rum. Nothing could afford him more joy than a keg of this beverage. When intoxicated, in abuse he was indiscriminate, sparing neither friends nor foes. Then it was, he had no compassion in his heart.

Although much disabled by the rheumatism for the last ten years of his life, he rode to his hunting grounds, in pursuit of game. Suffering the most excruciating pains, he often boasted of his war-like spirit. It was his constant wish that he might breathe his last in battle. So it happened. He was

at Proctor's defeat on the river Thames, and was cut to pieces by Colonel Johnson's mounted men.

James Girty fell into the hands of the Shawanoes, who adopted him as a son. As he approached manhood he became dextrous in all the arts of savage life. To the most sanguinary spirit, he added all the vices of the depraved frontiersmen with whom he frequently associated.

It is represented that he often visited Kentucky at the time of its first settlement, many of the inhabitants feeling the effects of his courage and cruelty. Neither age nor sex found mercy at his hand. His delight was in carnage. When unable to walk, in consequence of disease, he laid low, with his hatchet, captive women and children who came within his reach. Traders who were acquainted with him, say, so furious was he that he would not have turned on his heel to save a prisoner from the flames. His pleasure was to see new and refined tortures inflicted; and to perfect this gratification he frequently gave directions. To this barbarian are to be attributed many of the cruelties charged upon his brother Simon. Yet this monster was caressed by Elliott and Proctor.

“MODERATE YOUR EXPECTATIONS.”

A close inspection of our own hearts is enough, or nearly so, to justify the assertion that our happiness lies in expectancy. How few of us are at this moment disposed to admit we are as happy as we shall be at some future period. There seems to be incessantly ahead some object splendid and fascinating, in pursuit of which we accelerate our steps, and which we fondly hope is to crown our felicity; but alas, we are undeceived by the possession, and discover we have been conducted by a phantom.

Not a few set out in the world, convinced beyond doubt, that wealth alone is the source of untold happiness. Their belief is much strengthened by an observation of the supposed miseries of poverty. If penury and want be the cause of much grief and distress, the conclusion appears irresistible, that in affluence all that human nature can desire, is to be enjoyed. Riches, when acquired, are found to be unproductive capital. If they bring apparent ease, and afford the means of fashionable style and parade, cares and anxieties are multiplied. Man is frail—his days but few and sorrowful; and glittering as gold may be, it is not sufficient to strengthen his body, increase the period of his existence, or banish tears from his eyes. Scripture, history, reason, are conclusive on this head.

Many look to office for the consummation of their wishes, believing the emoluments and honors will yield a harvest of joy and satisfaction. Their anticipations are vain and illusory, as there is never sufficient allowance made in their calculations for accountability, censure, detraction, and the diminution of the charms of novelty.

TAMMANYISM.

We learn from the papers that some efforts are making in Philadelphia to introduce Tammanyism into Pennsylvania. In the event of success, its progress westwardly may be expected. The same power that requires its existence and influence there, may require such auxiliaries in Ohio; or, perhaps its approaches, on the principle of infectious communication, may not be necessary. Cannot some passing Sachem, full of the spirit of the sainted savage, *pow wow* it with a bucktail wand from its almost forgotten grave? Its resuscitation in this State may possibly be hailed as a blessing.— Among us it once had its missionaries and proselytes and exerted a force which was extensively felt.

What, some of our unfledged readers, may inquire, is a Tammany Society? We reply, it is a fraternity bound together by a written constitution, the initiates having pledged themselves under the solemnities of an oath to keep the doings a profound secret. At their business meetings, which are usually held at night, illuminated by a council fire, they deliberate on the weighty affairs of the country, decide what is to be done, dictate politics, interfere with elections, and say who are to be elected, denouncing all others as heretics.— They use circulars and runners, keep up a system of espionage, know what is doing in every section, and spring upon an enemy like savages from an ambuscade.

They have their anniversaries, processions and addresses; and in many respects, assume the character of the real *abrogoines*. On a public occasion the members are cockaded with bucktails. Never having been favored with a peep into their great wigwams during a meeting, we cannot say what may be the nature of the homage and adoration rendered to the tutelar saint.

The Tammany Societies made their appearance in this State about twenty-four years since, and continued four or

five years; in which time they furnished evidence that self-interest was their ruling, if not only motive. They did, in the short period of their existence, not a little mischief.—Through their efforts the civil institutions were reduced to anarchy, from which a recovery was effected with difficulty.

BORROWING.

Neither a borrower nor a lender be.—SHAKESPEARE.

How far it would be practicable to follow the advice given in the motto, in this country, is doubtful. Such here is the organization of society, and such the condition of every family, that borrowing is wholly unavoidable, though generally considered the least of two evils. To live, requires the use of many articles and implements which no one has the means of obtaining. Some of these are so seldom needed as to make it questionable, whether their acquisition by purchase would be good policy. Where neighbors living contiguous, can mutually accommodate each other, it would seem proper they should; as the result might be convenience and economy.

While on this subject, in which every individual is more or less interested, the writer will prescribe a few rules very fit, as he conceives, for universal observance. Let every one who is about to settle himself in life, provide those articles of which he may daily stand in need. What these are, will readily occur to every one in a short time, and will not now be named. But to be more minute. The farmer who undertakes to raise a crop without owning a plough, is exposed to great inconvenience. He loses much time in obtaining one on loan. He must take it when it suits his neighbor, which may be on a wet day, or for a few hours at a time—and he must return it punctually. Thus he sacrifices time; is prevented planting and cultivating in season, and meets heavy concomitant evils. Or who could eulogize for prudence, the young wife who would undertake to keep house without a tea-pot and sugar-bowl; as at the time of her wants, her neighbors would be using theirs.

Applications for loans ought not to be frequent. They will tire the lender, and probably make him crusty. He will begin to think the borrower intends living *by him*, and that it will be best to get rid of importunities by a denial at once,

as it must finally come to that. It is cruel to trespass upon kindness—it is unpardonable.

Let the thing borrowed be returned strictly according to promise, or in a reasonable time. The loan in itself is a favor conferred, and ought to be so appreciated. To disappoint the owner is most ungrateful, and may, on future occasions, render him less obliging. Some think it no violation of duty to detain the lent article until it is sent for. Of the morals of such, no correctly thinking man will be the advocate. They will in a short time prove their own invalidity, and the mistaken disciple run from door to door and ask loans in vain.

Let the thing borrowed be returned uninjured. Many are so careless of, not only their own goods, but other people's, as to deserve no favors. The tools of mechanics, and implements of husbandry are broken, or exposed to rust and other agents of destruction; and when returned, are scarcely known by the proprietor. This kind of delinquency must end, from necessity, as no man will submit long to such impositions.

A NEW METHOD OF CELEBRATING THE FOURTH OF JULY.

“Variety’s the spice of life.” The truth of this poetical maxim is well established. If we look around us, we have abundant evidence of the versatility of man. When old pursuits cease to please, new ones are recommended by the charms of novelty. Every dish with which our tables are furnished, is good in its turn; but the incessant use of any one, renders it less palatable. The propensity to change, to seek new objects of delight, is not to be regarded as an infirmity of our nature.

The present mode of celebrating the anniversary of our independence, has, from the first, varied but little. It is probable, however, the earlier celebrations were conducted in a more orderly and impressive manner—were more effectually calculated to awaken suitable recollections, and inspire sentiments of profound gratitude.

The usual exercises consist of an oration, dinner and toasts. The part which seems most appropriate is the speech. But who, since the subject has become exhausted, can acquit himself as the orator of the day to the satisfaction of any body? Even men of the highest order of talents, “who scorn to tread the beaten path,” with the heaviest tax they can impose upon genius, despair of offering any thing original, or which can swell their renown.

The method I propose is this: Let each who is inclined to spend a dollar in eating and drinking on the 4th of July next, contribute that amount towards the institution of libraries. It is to our reproach that there is not one public library in this county. Our exposure to rebuke seems the greater, upon adverting to the fact, that our soil is fruitful and our population dense and industrious. Adams and Highland counties are ahead of us in this respect, each of them having one. Certainly it becomes us to rival our neighbors in the

cause of literature. Our means are as ample, and our want of information as urgent.

Every man of reflection will say that there ought to be a library in Georgetown, Ripley, Decatur, and Russelville—and I will add those other points whose claims for such establishments are equally strong. Indeed, why should there not be one in each township, or populous neighborhood? This is the cheapest way for families inclined to read, to obtain books, as the same volume can be read in succession by all the shareholders.

If some two or three of the citizens in each of the places indicated, would consult, and by notices invite meetings on the 4th of July, it is quite probable something evincive of public spirit could be done. I imagine the attendance would, at some of these places, be pretty general. If each of the more affluent citizens would contribute a dollar, with the promise of another annually, the beginning would forebode much future usefulness.

Books are now low, and could be obtained at Maysville or Cincinnati—or through the agency of some merchant, might be purchased in Philadelphia on still better terms.

May we not hope that the citizens of Georgetown and its vicinity, will at least make the attempt to form a library association, whatever the issue may be. As it is the seat of justice, at which reside several professional gentlemen, we may, on every principle by which calculations are made, expect it to take the lead in the cause of literature. It will be no great loss to the public, should the presidential question be forgotten for a day, and both the political parties unite in promoting an institution having for its object the intelligence, virtue and happiness of society.

EPISTOLARY FRAGMENTS.

JULIUS TO EDWIN.

Dear Edwin:

It always affords me pleasure to comply with the wishes of my friends. You request a continuation of our correspondence: in this you shall certainly be gratified.

I board at a tavern which is crowded with members of the Legislature and with other guests; and, God knows, we have noise enough to derange the intellect of the most persevering philosopher. My situation is offered as an apology for the many errata that I am sure must appear in all my compositions.

I entertain an apprehension that you cannot relish this letter as a *tit-bit*—that it contains nothing interesting. The matter was furnished by a promenade of this evening.

Tired out with noise and confusion, and anxious to court an hour in solitude, I left this village. Indeed I began to grow waspish with it, because it was so unproductive of time for “sweet meditation.” You have resided in towns—you know tumult and hurry require intervals—and that an opportune dereliction of our daily business produces the most delightful moments of life—moments which I am sure the negligent and inert want faculties to enjoy. Have you not frequently left Washington and sauntered through the fields and groves in the vicinity? I am confident you have found the most pleasing and useful recreation in exercise of this kind.

I pursued the meanderings of the Muskingum a mile or two. The view of a river, particularly of so fine a one as this, affords the mind a delightful repast. The gliding stream, the bold margins which control the threatening floods, give origin to sublime sentiments, which were vastly enhanced when combined with the prospects of interest to be derived

from the navigation. Would it not, my Edwin, be defaming the benevolence of Heaven, to say that the rivers in this State, which I would call veins and arteries, were designed for no other purpose than to carry off the surplus waters? No: the Muskingum, the Scioto, and Miami, are the vehicles through which wealth will yet flow into Ohio. Down them will be floated the superabundant quantities of produce which millions of acres of fertile soil will yield. Through them shall the perhaps wretched inhabitants of more inhospitable regions partially experience the kindness of Ceres towards this country. Thus shall these rivers offer the most eloquent and persuasive arguments to the industry of the agriculturist and to the perseverance of the traders; and thus shall the economical and assiduous reap their felicitating remuneration.

Edwin, if the navigation of these rivers is to be the means of procuring honest wealth, it will also be productive of other substantial benefits—benefits indeed, inasmuch as they will give strength and perpetuity to our excellent Government. It is highly worthy of remark, that we are always most industrious when we have the greatest incentives to be so; and who will aver that industry is not a most powerful preventive against vice. It is indeed, not only a great obstacle to immoralities, but it is the preserver of peace and good order in society. It may be marked down as an unquestionable truth, that the man, generally speaking, who is notorious for his indolence, is also notorious for his iniquities. When men have none, or few stimuli, to active life—to participate in laudable pursuits—they become the engines of annoyance to the community. They add nothing to the support of Government, but detract from it by committing depredations on the rights of the more innocent and diligent.

Edwin, look back a few years;—can you not yet hear our worthy and venerable preceptor inculcating on the minds of his pupils the most wholesome doctrines. How many sermons, not pronounced as if the audience was deaf, or as if he was determined to supply the want of matter by vociferation, has he preached to us?—his voice soft and melodious as the notes of the dove,—his sentences slow, but emphatic,—and his

countenance beaming with mildness, yet dignified and magisterial. We remember the evening he said, "My pupils, we ought to feel grateful to Deity for the blessings we enjoy in common with the inhabitants of the earth; but, how boundless should our gratitude become, when we contemplate our enjoyment of many privileges of which other nations have no knowledge? Our excellent system of laws gives us this great superiority of happiness. Our Government is republican. It is a government which the People have framed for themselves. While it is virtuously administered, we have nothing to fear.—We may expect a continuation of our immunities. Writers of eminence, my pupils, have recorded, that a Republican Government must cease to exist when the People, through inattention or vice, lose sight of their true interest; and have proven their position beyond a doubt. If then, this be the case, how assiduous should every patriot, every man of influence, whose generous soul expands at the glory and prosperity of his country, be, in setting good examples, and disseminating virtuous principles."

SOLON TO LYCURGUS.

Sir:

I have just seen your communication, No. 1, published in the Scioto Gazette. As in that composition you have advanced and vindicated doctrines, which, in my opinion, if reduced to practice, would, in the extreme, prove hostile to our dearest interests, I have thought proper to address you.

It is the fashion of the day, when one newspaper writer controverts the opinions of another, to treat him ungentlemanly, by indulging in the use of intemperate and malignant

expressions. From this course, sir, be assured, however strong my predilection may be for what is fashionable, I shall depart. It has ever been my sentiment, that investigations should be conducted with coolness and deliberation.

I shall not charge you with a departure from candor, or with a wish to court popularity. I will not question the motives which influenced you to give publicity to such doctrines. Your motives may have been as pure, as laudable, as my own. All the apology, sir, which I have to offer (and a good one it certainly is) for introducing myself to your notice, and the notice of my countrymen, is a serious and anxious concern for the promotion of the common weal. To promote this, every individual of our community should be studious. Who does not love his country? Who dares to act so reprehensibly as to manifest a carelessness about the prosperity and happiness of his country? Those whose bosoms are unwarmed by patriotism, are unworthy the name and rights of a citizen.

Bating, sir, the many grammatical inaccuracies in your communication, I shall direct my attention solely to your sentiments. With you, sir, I will readily agree, the laws prescribed for the regulation of our conduct should be as simple, as intelligible, as fixed, as the nature of things will admit; yet hence do not infer, that I cherish a wish to consign to disuse British authors on jurisprudence.

A difference between our government and that of Great Britain, in fact, to a certain degree, does exist. But, sir, is that difference such as to warrant our courts in seeking no other auxiliary in their judicial inquiries than the statutes of our State? Certainly not. Can they derive no advantage from the labors and researches of the British sages in law? Can frequent consultations with Coke, Bacon, Blackstone, &c., be accompanied with no benefit? The shades of dissimilitude, sir, between many of our own and the English statutes, are not so striking as you imagine. In many instances, they are faint, are scarcely perceivable. Upon the construction of statutes and the extent of their operation, English judges have pronounced decisions which do honor to human nature: and what good reason can you assign, why we should not avail ourselves of these decisions, when questions originate in our courts?

Were we at present in possession of no other means of acquiring and maintaining our rights, than those furnished by the acts of the legislature, our situation would be truly deplorable. Should the tongue of slander, sir, assail your reputation and stamp your character with infamy, how would you proceed to redress your grievance—how punish the malignancy of your assailant? Would you seek no other remedy than the statutes of our State? Yes, sir, you would resort to those very books, those voluminous books, for which you have conceived such a wonderful abhorrence. The statutes of our country, in conjunction with the rules and practice of British courts, hold out to us, sir, a sure and safe means for the preservation of our happiness.

The British judges, who, generally speaking, have been notorious for their integrity and legal erudition, have told us what words are necessary to constitute slander. In fact, as to this and every other injury which may be done to a citizen, in his person or property, they have, by their decisions resulting from the most anxious and painful deliberations, established general principles. For the sake of illustration, it has been decided in the British courts, that some words of themselves are actionable, to wit: such as may expose a man to legal punishment, as to say that he poisoned another, or that he stole a horse. Other words, which, by reason of some special damage resulting from them, have also been declared actionable, as, to charge a trader with cheating, &c. Now, sir, have not these decisions been founded in justice—in the strictest propriety? But these British courts have gone further. They have pointed out the track to be pursued, that damages may be recovered for injuries of this kind. To every deprivation of right, they have carefully assigned a specific mode of redress. This is admitted. But the different modes, you say, practised in our courts, are rendered difficult by forms and hard words, which are altogether unintelligible to the generality of the people, and inconsistent with the simplicity of our government. Forms, sir, are absolutely necessary for a complete administration of justice. Rules, established rules, ought strictly to be adhered to in the prosecution of suits. Would you allow each person, who might

be disposed to be become a plaintiff, to draw up his allegation in such a manner as his caprice might dictate, without having any regard to system? This, indeed, sir, would in a very great degree, be departing from that simplicity for which you contend. As well might you say, let all laws and constitutions be abolished; let every man do that which in his own eyes appears to be right. But farther, sir; it is a maxim, the propriety of which I trust you have not temerity enough to deny, that every person is to be presumed innocent until the contrary, upon proper evidence, appears. Is it not necessary, then, indispensably necessary, that the charges be made out full and perfect? Without this, the defendant would be deprived of the opportunity of making a proper defense. A blow would be aimed at him, which, on fair grounds, he would be unable to repel. How then, sir, can forms be said to be incompatible with the genius of our government, when they conduce to the promotion of justice? Every man, upon reflection, will say, system is absolutely requisite, not only for the facility, but accuracy of despatching business.

But, sir, you think the forms at least might be abridged—might be reduced to fifty words each, and answer the purpose as well. Examine them, and see whether they contain much surplussage. Read a declaration in slander, in assault and battery, in trover, &c., and designate the redundancies. Suffice it to say, that the advantages resulting from your epitomising scheme would fall far short of amounting to its justification.

The technical expressions used in the British books, and which are heard too frequently in our own courts, give you much uneasiness. It is a pity, sir, your peace is so disturbed. Can you mention a science which has not words and phrases peculiar to itself? You must be silent. In fact, it is impossible for any man, however friendly he may be to simplicity, to write a treatise on a science without being in some degree technical. Have you ever opened a music book—have you ever read an astronomical or philosophical essay, without discovering terms of art? Theological and medical writers are under the necessity of using expressions of this frightful and peace-disturbing kind, to avoid circumlocution; and why, sir,

must the lawyer confine himself so much to intelligibility as to be most wearisomely prolix. No science is capable of being reduced to principles so simple and plain as you imagine. Never can an art be so disincumbered of difficulties, as to be easily understood without study. Even the fundamentals of our good government are not so intelligible as you would have your readers believe. How many disputes, warm disputes, have already taken place in our State, relative to the construction of particular parts of our statutes and constitution? As long, sir, as man continues to be man, you may expect to see all his works tarnished with imperfections—imperfections obvious, but many times incorrigible. Besides, many of those things which you might be disposed to call inaccuracies and inconsistencies, are not such, were they examined with more attention. Many industrious and, indeed, respectable citizens in the circle of my acquaintance, cannot tell what a constitution or statute is. They know not what is meant by legislative, executive, and judiciary. And where does the blame lie; in them, or in the constitution?

I have heard many complain of the names of the writs, as being unmeaning and calculated to produce confusion. No doubt you have made such complaints. No one, I apprehend, is so ignorant, or so consigned to insincerity, as to pronounce them useless. We must have the *capias*, *fi. fa.*, the *ca. sa.*, *habeas corpus*, *certiorari*, *supersedeas*, *error*, &c.; and because these names, when called over, do not convey a complete idea of the process, will you give yourself uneasiness? Will you anathematise them as barbarities of antiquity,—as incompatible with our politics? Sir, how much better would be our situation, if a legislature sufficiently learned and *simplified* were convened, and would give us a translation of those frightful words? Of what use would such a translation prove? Were a *scire facias* called “shew cause,” would its nature and design be more perfectly understood? I think not.

We acknowledge, most of the English law books contain much matter which has no kind of applicability in this country. But will you throw away, as an “accursed thing,” the whole of a work, because part of it is useless? To do so, is

the characteristic of great weakness. Blackstone, in his commentaries, directs much of his attention to the king and his prerogatives—to the feudal system, and other doctrines, which, he himself says, have become obsolete. Yet will you banish him from our courts, when he recognizes the following maxims? “No man ought to be a witness in his own cause. The husband and wife, in consideration of law, are one person: they cannot testify for or against each other. A witness is not bound to criminate himself. What a man does by another, he does himself. Slanderous words are to be construed as they were understood by those citizens in whose presence they were spoken,” &c. &c. Here are principles extracted from a book you profess to despise—principles which ought to be respected, though they came from the mouth of George III.

Sir, I design addressing you again. My next letter will be an animadversion on your recommendation to have the system of jurisprudence condensed in a few plain statutes by our legislature. I salute you with health and happiness.

BETA TO ALPHA.

Sir:

In your composition of the 19th instant, you advance sentiments which, in my opinion, are exceedingly objectionable. In your motto there is something so selfish and unbecoming, as to render it peculiarly improper that you should escape animadversion.

To those humane and benevolent citizens of Highland county, whose conduct you reprehend with so much spleen, I do think, much credit is due. In this opinion, the reflecting, intelligent, liberal and virtuous part of the community

will readily concur. In what way, sir, I would enquire, could the anniversary of our independence be more appropriately celebrated, than in kind exertions to ameliorate the condition of the unfortunate and miserable? Perhaps, like too many of those who convene to *respect* the birth-day of our liberty, you may think the proper exercise consists in consuming splendid dinners, quaffing exhilarating liquors, and in shouting. If such be your sentiments, pity rather than indignation is due to your faults.

That the education of the youth of Highland, as well as of other counties, is much neglected, I feel no inclination to controvert. This kind of negligence is discoverable in every neighborhood, and, it is to be feared, will continue to be so. But, sir, is this a reason why charity should be withheld from the needy? Must all our own wants be fully satisfied before our stingy hands are opened to distress? If the mansion of our neighbor be unfortunately reduced to ashes, shall we not join in the contribution for his relief? If the war-worn soldier, whose locks have been whitened by many winters, limps to our doors and supplicates assistance, shall we look on him pitiless and say, friend, charity ought to begin at home? Surely, the loss of much repose and the most afflicting regrets would ensue a denial in such cases.

In giving alms, a proper degree of discretion is to be observed. There is no text of scripture, nor any principle of ethics, which enjoins us to squander our estates in charities. A course of this kind would, in a short time, pauperise and deprive us, in a great measure, of the means of doing good. We ought to give as we can afford. This may be done without any perceptible diminution of our property, where industry and frugality are duly cultivated.

The most of us in this country do not see a beggar in a year. This argues the enjoyment of a competence of the good things of this life. If this be the case, I hazard nothing in asserting that nearly every family possesses the means of education; but it is lamentably true, there is an unwillingness to apply them. But, sir, ought this circumstance to be considered as a good reason for refusing a few cents to improve the condition of our Indian neighbors? The obligation to

extend a helping hand is greatly increased by the fact, that we have expelled them from their dominions. The distance they have had to recede before our rapidly advancing population, is well known to all acquainted with our history.

You say, sir, that immense sums of money have been expended in trying to civilize the Indians, but all to no purpose. With your reputation for truth I am unacquainted, and hope to be forgiven when I say, you speak at random. To influence those sons of the forest to forsake the chase and depend on the arts of civilization for subsistence, I know, considerable sums of money have been applied, but not as you say, unsuccessfully. I have been at the head waters of the Wabash and Miami of the Lake, and feel able to contradict your statement. In that country, at the commencement of the last war, very many of the Indians resided in comfortable log cabins, surrounded by both corn and wheat fields. I saw plows of different descriptions, harrows and ox carts. In the cabins were to be seen good tables, split-bottom chairs, and various other articles of furniture; many handsaws, augurs, chissels, and other such handicraft implements were discovered. And such, indeed, was the general appearance in many of the settlements, as is to be seen in our own new countries. This work of reformation among the savages was cherished by Mr. Jefferson, and under his auspices much progress in the South, as well as the Northwest, was made.

As long as the Indian must, from necessity, depend upon hunting for support, it will, as you intimate, be difficult for the missionaries to accomplish their purposes. But when he is taught that agricultural pursuits are not more painful, and are a much more certain mode of obtaining a living, his habits will gradually undergo a change. At first, his pride may revolt at the idea of forsaking his rifle for the plow and hoe, but in time he will find it his interest to do so. It is well known, that so poorly are his labors in the chase now rewarded, that his family is not unfrequently reduced almost to starvation. Although you may assimilate him to the wolf, you have not proven that he is not a man. This is impossible, whatever ingenuity and prejudice may undertake. If then he partakes of human nature, he has wants similar to our

own. If he be not fed, he feels the pains of hunger; if he be not clothed, he shivers with the cold; and if he be not taught, he knows not the way of salvation. If he be a man, he is tractable. To assert the contrary, is to assert what is contradicted by fact.

Whence, sir, do you derive proof, that it is only one time in a hundred that money collected for the civilization of the Indians is misapplied, or never reaches the point of destination? For making so bold, not to say impertinent, an assertion, I should like to be furnished with a few instances of delinquency. Please to name the persons guilty of this worse than sacrilegious wickedness. They ought to be exposed as the veriest of peculating villains. But in the absence of proof, sir, you ought to retract the infamous question which contains an affirmation, and do justice to the great cause of humanity. We are much prone to yield a listening ear to opprobrium, and many may give credit to your report; and I will ask, who that does will feel a disposition to aid in the exalted employment of civilization?

There is a luxury in doing good; and it is hoped, all you can say may not in the smallest degree mar the enjoyment. The Indians believe we have wronged them. Let us convince them by acts, the most forcible of arguments, that our country is a Christian one, and disposed to be not only just, but generous.

TO A FRIEND.

Dear Friend:

I have just returned from paying a most interesting visit. It was one to the neighborhood in which I spent eight years of my life, counting from nine to seven-

teen; and this, too, after an absence of twenty-four years. When approaching the limits of my youthful walks, I felt emotions which language is too barren to describe. My thoughts were never less at my command; and strange as it may appear, my heart palpitated to my confusion. The road conducting me to the spot on which my parents had resided, was but little altered in its direction. The course was quite familiar, but the distance much shortened by fields recently cleared. What was called a mile thirty years since, seemed to me not more than half a mile. On reaching a place at which I witnessed my mother in the most frightful danger, by a fall from a horse, twenty-seven years ago, I was constrained to halt. The circumstances of her situation was brought fresh to my memory, and I felt nearly the same degree of horror, anxiety and concern, with which I was then disturbed. As I approached the old improvement, the angle of a field which I had helped to clear, caught my eye. Near this place stood a noble plum tree, which, in the period of its bearing, yielded me fruit. It was not at first discovered; but, upon advancing, it was seen like a skeleton amidst the woods. The cabins which had once afforded shelter were gone, and not a vestige to be seen. A new mansion was reared elsewhere.

OWE NO MAN ANYTHING, BUT TO LOVE ONE ANOTHER.

Some time ago, I read the remarks submitted by "Blair," on the first member of this text. It shall be my task to offer some observations on the next member, "but to love one another."

What is love, in the sense in which the apostle uses it?

Kindness, good will, friendship, affection; and not the passion between the sexes. It is the opposite of hatred, ill will, dislike.

What a blessed world a rigid observance of these five words, "but to love one another," would make. The change would not be less striking than is made in the dense forest, by the industrious husbandman. The discharge of all those duties which man, from his situation in society, owes to man, would be faithfully attended to; and their discharge be productive of the most exquisite pleasure. Whatsoever we do in friendship, yields us happiness. Who does not feel happy in serving a friend?

The apostle exhorts us to keep free from debt, except the debt of love. This debt is always to be accruing and paying. It is to be perpetual—always binding. It must be emitted in all directions. We ought to resemble the great luminary of heaven, whose refulgent rays are continually escaping in every direction, dispensing light, and life, and happiness.

POETICAL EFFUSIONS.

DEATH, THE DESTROYER.

A CHAPTER ON MORTALITY, VERSIFIED.

The following lines were composed in 1802, and published in the *Monongalia Gazette*, Virginia, in the summer of 1806.

Whence comest thou, O mortal child!
Come, say, why is thy visage sad?
Why are thine eyes, thy wat'ry eyes,
With tears, with weeping, now so red?

The charming rose, I just have seen
Its beauties far and wide display
To the young sun, whose orient beams
Suffused with smiles the gladsome day.
When I return'd, alas! I cried,
Where are the rose's splendors gone?
I saw the leaves o'erspread the ground,
The withered, drooping stalk alone.

A stately tree grew on the plain,
In sprightly verdure well arrayed;
With branching boughs extended wide,
Which formed a cool, capacious shade.
Its trunk was like a pyramid
Sublimely raised, of spacious form,
Which seemed to challenge with its strength
The fiercest hyperborean storm.
When I returned, the wind had nipt
Its verdure, innocently gay;
The worm had pierced its hardy trunk;
The axe had lopt the boughs away.

Where boasting strength had once appeared,
Now nought but rottenness is found:
With gracefulness, sunk in decay,
It mouldered, tumbled to the ground.

Ludicrous insects, gaudy throngs,
With wings of burnished gold, I've seen
To wanton, gambol o'er the brook,
With bodies of the deepest green;
Each of their kind more numerous
Than I could possibly make known;
Their motions swifter than a glance
Could from the quickest eye be thrown.
When I returned, the evening breeze
Had brushed them from the atmosphere
Into the neighb'ring baleful stream,
And scaly tribes devoured them there.
Destruction multiform appeared:
Marauding swallows did intrude,
Destroying all; not one was left
Of all the splendid multitude.

I've seen a man in prime of life,
Whose healthful cheeks with beauty glowed;
His limbs full of activity;
He thought, he leapt, he walked, he stood.
When I returned, on the bare ground,
Thoughtless, inactive, cold, he lay;
His hands and feet had ceased to move—
Good God! how soon a lump of clay!

Therefore I weep, that cruel Death
To every mortal thing is nigh:
That all that's made must be destroyed;
That all that's born must shortly die.

LINES,

Written in imitation of THE NEGRO'S COMPLAINT, by W. Cowper, Esq.
and published 21st July, in *The Supporter*.

O why are my troubles growing?
Why this increase of my pain?
Must my tears ne'er cease their flowing?
Must I always thus complain?

My cruel, my inhuman master,
Author of my constant grief,
Brings on me a sore disaster;
Where, now, shall I find relief?

He, for the sake of golden treasure,
Sends me to a foreign land;
Parts me from my dearest pleasure;
From my helpless orphan band.

Adieu, dear babes; your father leaves you,
Whom you'll never see again;
A savage white man now bereaves you;
We may weep, but all in vain.

He cares not for our lamentation;
He's unjust, and hard his heart;
Because we're of the Afric nation,
Ne'er to meet we now must part.

Your mother's gone: she dwells in heaven;
There she sings immortal praise;
But to Florida I'm driven,
There to spend my wretched days.

Why, Almighty God of Nature,
Do the whites thus tyrannize?

Why with pride distort each feature—
With indifference hear our sighs?

Hear them boast of freedom's blessing,
And equality of right!
(Inconsistency displeasing:)
Yet to vex us they delight.

Are we brutes? Have we no reason,
That we thus are bought and sold—
That we thus must, every season,
Still accumulate their gold?

But to reason is to trifle:
Power is law and justice too:
We must yield. The *Christians* rifle
And deprive us of our due.

AN ODE,

COMPOSED FOR THE FOURTH OF JULY, 1809.

While Mars and Bellona in Europe display
Their banners encrimsoned with gore,
Come, sons of Columbia, and hail the glad day,
Which adds to your pleasures once more.

Hail, period auspicious! which saw freedom rise—
Beheld her bright ensigns unfurl'd;
Which filled the proud Britons with wond'rous surprise;
Astonished the rest of the world.

Forget not, amidst your expressions of glee,
The heroes who fell in your cause;
Remember the brave, who with toil set you free
From Britain's tyrannical laws.

To your children relate how brave Warren expired;
Be Mercer's sad exit revealed;
And how great Montgom'ry with valor was fired,
And gloriously fell in the field.

Be the name of great Washington always esteemed;
His achievements of glory renowned:
Remember, by him our country redeemed,
With peace and contentment is crowned.

Though war and bloodshed are unknown in our land,
Though peace, white clad peace, now doth reign,
Be ready each traitor, each foe to withstand,
Be ready your rights to maintain.

Columbians, with caution, with vigilant eyes—
With eyes which ne'er slumber nor sleep,
Observe, and see whether more Burrs will arise,
To plunge us in Anarchy's deep.

Exult, happy nation! with pleasure behold
Great Mad'son his wisdom display;
By him, British insolence shall be controled,
And Frenchmen, bright justice obey.

His wisdom shall license our vessels to float—
To cleave the Atlantic's proud wave;
And commerce shall prosper, and Europe shall not
Our country of seamen bereave.

Look on your wise chief, he's your guardian and friend,
Your parent; whene'er you complain,
His arm of protection shall nobly defend
Your rights on the land and the main.

WINONA.

FOUNDED ON A TRADITIONARY TALE.

On Mississippi's distant brink,
Where savages the forest claim;
And where, we are disposed to think,
Love is unknown, nor has a name—

Lived Winona, who, though not fair,
Was tall and of majestic mien:
She was her parents' daily care,
And of the wilderness the queen.

Pohuska saw her, and he loved—
Reciprocated was the flame;
Their fondness full three winters proved,
And ever it remained the same.

Winona's sire of warlike pride,
Despised the lover, and forbade
That e'er his child should be his bride,
And quite dejected was the maid.

Oft in the recess of a grove,
Beneath a branching linden tree,
They met—and talking o'er their love,
Bewailed the father's stern decree.

Pohuska witnessing her grief,
Advised her to receive his hand;
To fly the unrelenting chief,
And go with him to distant land.

She soon replied, this I can't do;
The overture must have my nay;
Much as my heart is set on you.
My father's will I must obey.

Perhaps, ere long, he may consent
To see our wishes gratified;
I'll offer him strong argument,
And shed a flood of tears beside.

She plead in vain; her cruel sire
Responding in imperious tone,
"I ne'er will yield to your desire,
Pohuska shall not wed Winone."

She soon retired; and through the grove,
Wandered unseen by human eyes,
Talking of cruelty and love,
And with the breezes mingling sighs.

Fled were her charms, and fled her peace;
Her hollow eye knew not repose;
Each day attested an increase
Of sorrow and of saddening woes.

Pohuska tried to sooth her care—
To minister to her relief;
She shunned him like a wounded deer,
Determined to indulge her grief.

Close to her father's wigwam stood
A precipice of giddy height,
Which overlooked the rolling flood,
And thither she repaired one night.

In purpose fixed, aloud she cries,
Quite from the summit of the steep,
Farewell to all; Winona dies;
And then she plunged into the deep!

The father heard the dying sound,
And hastened to the precipice;
But ah! his daughter was not found;
She was entombed in the abyss!

The weeping chief, when 'twas too late,
Felt like a parent for *his own*;
But sighs could not reverse her fate,
Nor penitence, redeem Winone.

FRIENDSHIP.

Let plaintive authors loud exclaim,
"Ah! what is friendship but a name,"
Or let the man who's been betrayed
Pronounce it but a "charm," or "shade:"

'Tis more; it is a precious gem,
More pleasing than the diadem;
'Tis fascinating when sincere;
The heart that feels it knows 'tis dear.

What is friendship? It is not love,
In mercy granted from above:
It is the cord by Heaven designed
To link congenial mind to mind.

It gives to life the sweetest charm,
And doth the virtuous bosom warm;
Prosperity will ever bless,
And yield relief in deep distress.

Without it, life were sad indeed,
As every day its aid we need,
To minister with tender care,
An antidote against despair.

Friendship will constant joys impart;
Bind up the broken, bleeding heart;
It calms the breast that heaves the sigh—
Removes the tear that fills the eye.

THIS EARTH IS NOT OUR HOME.

Where e'er we cast our eyes around,
The world exhibits toil and care;
Pure happiness cannot be found—
'Tis not the lot of mortals here.

Honors do not contentment bring,
And riches know but little joy;
All from the peasant to the king
Find with their comforts much alloy.

In this probationary state,
With difficulties all must meet,
There's no exemption to the great,
For bitter follows every sweet.

It is the part of sober sense,
When evils thicken in our way,
Not to repine at Providence,
Nor murmur, but his will obey.

Where duty calls, there let us go;
To wisdom's heavenly voice attend,
And when death strikes the fatal blow,
To the bright world we shall ascend.

TO MY ABSENT WIFE.

Return, my dear consort, return,
And let me no longer complain,
Your absence, too hard to be borne,
By me is lamented in vain.

Ere the visit you started to pay,
No thought ever entered my mind
But at home with delight I could stay,
And amusement in reading could find.

But how disappointed I was;
My books all insipid appear;
An hour is a day, and alas!
A week is as long as a year.

My consort, O! when you are gone,
Where friendship and gaiety smiled
Pale sadness erects her drear throne,
And I look both frantic and wild.

My fire burns dimly indeed,
My candle refuses to glow;
And sorrow doth sorrow succeed,
And every reflection is woe.

To increase my wretchedness more,
Dread winter approaches again;
Rude Boreas beats at my door,
And I the more loudly complain.

Kind Zephyrs no longer will blow,
The birds are unwilling to sing;
Earth whitens with showers of snow—
Adieu to the beauties of spring.

Return, my kind consort, again,
Bleak winter shall quickly depart;
Your smiles shall give ease to my pain;
And peace shall triumph in my heart.

THE BIBLE.

Without this book we ne'er had known
That we immortal souls possess,
Which during an eternity
Must dwell in woe or dwell in bliss.

From it we learn how frail we are—
To folly and to crime how prone;
How we must live, how we must die,
To win an everlasting crown:

AN ALBUM.

It is like the chaste, the immaculate mind,
Without e'en a blot or a legible trace,
In which the base lessons of folly oft find,
As well as the lessons of wisdom, a place.

MRS. TACKETT, THE CAPTIVE.

THE sufferings endured by the first emigrants to a new country, scarcely admit of description. These have always been greatly multiplied by an encroachment upon the rights and possessions of the aborigines. In reference to this country, where we have long been considered as unwelcome intruders, this has been peculiarly the case. The settlement of no part of the world has been more fruitful of incident than that of our own. Although many pens have been employed from time to time, in detailing our wars with the Indians, still many interesting occurrences have escaped the historian's notice. Some of these have appeared in the form of newspaper paragraphs, while others of equal importance have escaped this ephemeral kind of repository.

The writer of this article has several times traveled the road which lies on the banks of the Kenhawa. Although he found mountains whose tops pierced the clouds, and a beautiful river whose margins smoked with salt furnaces, to amuse him by day, his entertainment was not diminished by the approach of darkness. He has usually sought lodging with some of the more ancient inhabitants, many of whom accommodate their guests with great hospitality. Like the early adventurers to new settlements, they are social, and delight in the recital of their dangerous enterprises and hair-breadth escapes. Mr. M., at whose comfortable mansion it was the writer's good fortune to tarry one night, the last time he passed through Western Virginia, gave him the following narrative.

Just below the mouth of Cole river, on the farm owned by the heirs of Tays, to ensure safety the early settlers constructed a fortress. It was formed exclusively of timber, without much labor, yet in such a manner as to be deemed adequate to their defense against Indian aggression. On the apprehension of danger, the gate was closed, and every one prepared for resistance. When the demand for food became

imperious, a few of the most skilful hunters would leave this retreat before day, go a few miles distant, and return the succeeding night, loaded with game, unnoticed by the skulking savage. These measures of safety were at first considered indispensable. A few weeks of repose, however, seemed to render them inconvenient and unnecessary. Exemption from a morning attack was thought a sufficient pledge of peace through the day. Familiarity with danger, as it always does, relaxed their vigilance and diminished their precaution. Even the women and children, who at first had been frightened by the falling of a tree, or the hooting of an owl, lost their timidity. Indeed, the strife seemed to be, who should be boldest, and the least apprehensive of peril. On a beautiful morning in the month of June, in the year 1778, as well as is recollected, the gate was thrown open. Confinement had become painful, nay, insupportable. It was considered rather as a voluntary punishment, than a condition of security. Three of the fearless inhabitants set out on a hunting expedition. Some sought amusement in shooting at a mark; the younger men engaged in playing ball, while the women and children were delighted spectators of the recreation. Scarcely had an hour elapsed in these cheerful relaxations, before some twenty or thirty Indians suddenly ascended the river bank which had concealed their approach, fired upon the whites, and instantly took possession of the fort. Amidst the consternation which ensued, the savages put to death every white man on whom they could lay hands, reserving the women and children for more trying occasions.

Here it is proper to observe, a Mrs. W., who expected to lie in that day, had, at an early hour, retired with her husband to a cabin, 100 yards from the fort. The attack was made about two hours after the birth of her infant. Those who were shooting for amusement, finding themselves unable to be of service to their friends at the fort, fled to the cabin. Their retreat did not escape the observation of the Indians, who made a hasty and fierce assault, but were repulsed with some loss. During the contest, Mr. W., with his wife and child, left their retreat, passed down a ravine to the river, got into a canoe, and gained the opposite shore before they

were discovered by the enemy. Mr. W. ascended to the mouth of Elk, fifteen miles above, where Charleston now stands, without the least injury to his wife and child.

But to return to the disastrous spot. The wounded, who were unable to travel, without regard to age or sex, were butchered in the most shocking manner, of which description was James Tackett. The importunities and tears of his interesting wife were wholly unavailing. She was left with two fine boys, the one seven years old, and the other five. Apprehensive of pursuit by the whites, the Indians, after the destruction of every article which they could not remove, betook themselves to flight. When a prisoner became too feeble, as was the case with several small children, all entreaties to avert the stroke of the tomahawk were fruitless. Although Mrs. Tackett afforded to her children all the aid which their situation and maternal tenderness could dictate, at the distance of about five miles the youngest became exhausted. Her extreme anxiety for his safety induced her to take him on her back; but alas, this act of kindness was but the signal for his despatch! Two hours afterwards her only child began to fail. He grasped his mother's hand and said, "I must keep up with you or I'll be killed as poor James was." The exertions which she made for her child were beyond what she could sustain. For a time she inspired him with the hope of relief which the approaching night would bring. Nature, however, became overpowered, and a single blow sunk him to rest. The distracted parent would cheerfully have submitted to the same fate, but even this barbarous relief was denied her. About dark she lagged behind, regardless of consequences, in charge of a warrior who could speak a little English. He informed her that in the course of an hour they would reach a large encampment, where the prisoners must be divided; that sometimes quarrels ensued on such occasions, and the captives were put to death. He asked her if she could write. An affirmative answer seemed to please him much. He said he would take her to his own country in the South, to be his wife and to keep his accounts, as he was a trader.

This Indian was a Cherokee, and named Chickahoula; aged about 35, and of good appearance.

He soon took the first step necessary for carrying his designs into execution, by making a diversion to the left. After traveling about two miles the darkness of the night and abruptness of the country forbade their advancing farther. A small fire was made to defend them against the gnats and musketoos. After eating a little jerk, Chickahoula told his captive to sleep; that he would watch lest they should be overtaken by pursuers. Early in the morning he directed his course towards the head of the Great Sandy and Kentucky rivers. Until he crossed Guyandotte, Chickahoula was constantly on the lookout, as if he deemed himself exposed to the most imminent danger. After having traveled seven days, the warrior and the captive reached Powell's Valley, in Tennessee. By this time they were out of provisions; and the Indian thinking it safer, while passing through a settled district, to steal food than to depend upon his gun, determined to avail himself of the first opportunity of supplying his wants in this manner. It was but a little while till one presented itself. Following the meanderings of a small rivulet, he came suddenly upon a spring-house or dairy. This was several rods from the dwelling-house of the owner, and so situated that it could be approached unseen from thence. Well satisfied that it contained a rich store of milk, and thinking it probable that other provision was likewise deposited there, the warrior stationed his captive in a position to watch, while he went in to rifle the spring-house. Mrs. Tackett readily and willingly undertook the duty of acting as sentinel; but no sooner was the Indian fairly within the spring-house, than she stole up the slope, and then bounded towards the dwelling. This reached, she instantly gave the alarm; but the Indian escaped.

Mrs. Tackett tarried for some time with her new acquaintances, and spent several months in the different settlements of that section of the West. An opportunity then offering, she returned to Greenbriar. Her feelings on rejoining her friends and listening to the accounts of the massacre at the station,—and those of her relatives on again beholding one whom they considered, if not dead, in hopeless captivity, may be imagined: pen cannot describe them.

TO KAPPA.*

I have read with pleasure and improvement the sundry articles, with the exception of one, which have appeared over your signature, in the "Messenger." Why you should have in your last contributions, deemed it necessary to make an unkind allusion to Congress, is left to vague conjecture. Being a member of that body, and satisfied that the attack is an unmerited one, I am disposed to give you a hasty notice.

You set out with a reference to the mortification you feel when monarchists declare that the national spirit of our Republic is "narrow and sordid." Permit me to say that this and similar sentiments, though they may have originated with foreigners, are not so often in their mouths as in those of some of our own countrymen. It is no secret that at any session of Congress from five hundred to a thousand petitions are presented. Many of these are founded in justice and are sustained, while others are rejected. To support those which are more addressed to feeling, and to what some call patriotism, than to sober, calculating sense, the petitioners and their abettors not unfrequently exclaim against the ingratitude of Republics. This reason, in support of a claim, proves the absence of substantial argument.

Monarchists have spoken many "hard things" of our institutions. Of this fact history furnishes ample proof; and the reason is obvious. Republics, where a man is free, where he governs himself, where his rights find protection, and where the fruit of his labor is his *own*, is the standing reproach to monarchies.

Why should we be mortified if royalists do say our policy is "narrow and sordid?" This allegation may prove that their system is different from ours; but does it convince that it is a better? If Great Britain has, in the shape of pensions and other gratuities, disbursed millions for our thousands, is

*Originally published in Mrs. Colvin's Messenger, January, 1827.

this testimony that the *people*, the *ruled*, are more happy? We have your admission that no community has been more prosperous than ours. This is true, and is an argument in favor of the excellency of our course of policy.

You ask, "how does it happen that the public spirit of Congress is deemed, by calm observers, rigid parsimony?" And you assert that "the permanence of this disposition perplexes conjecture and passes all understanding." I quote substantially. When I look around to discover who these "calm observers" are, I see but few, excepting those who are interested, and of course are not the most competent judges. Some, it is believed, who never saved a shilling for a rainy day, nor voluntarily imposed limits upon their expenditures, have uttered complaints like your own.

"The permanence of this disposition" is no mystery. It has been the will of the people that Congress is now charged with parsimony. Those who pay the revenues of the country require frugality in their rulers. If such were not the case, their wishes would soon be indicated, and prodigality take the place of the economy of which you complain. Economy is a more apt term. Intelligence, and the simplicity of republicanism, forbid extravagant appropriations of the public treasure. We have yet to learn that the erection of statues, amphitheaters, baths, temples, and palaces, by Congress, would add to our solid comfort, or tend to the perpetuity of our institutions.

I have been taught that justice ought to precede generosity. The individual who is in debt, and squanders his estate in acts of liberality, offends against one of the plainest rules of morals; and although some may extol his *magnanimity*, he deserves not the character of an honest man. What is right in the case of a citizen, cannot be far from what is proper in that of a community. As a nation we owe seventy-five millions of dollars. Do not good policy and good faith enjoin an extinguishment of this debt, or at least a quarter part of it, before we play the part of a prodigal?

You speak of Congress as being a corporation of trustees. In this you are right. They are invested with certain powers, beyond which it would be criminal to go. A transgres-

sion of the marked boundaries would subject the delinquent to the maledictions of his constituents. I know of no part of the trust that will justify legislative profusion.

If I understand what you mean by "previous energies," it is my opinion our Republic holds out as strong inducements as any other, to the cultivation of intellect. To genius the most alluring rewards are offered. Capacity and integrity are certain of the most exalted honors which an intelligent people can bestow. The humblest boy that strolls the streets may attain the highest distinction. He whose mental energies are not awakened by the equality of our privileges, could not be roused by the trappings and extravagance of royalty.

COMMON SCHOOLS.

Among the many efforts to ameliorate the condition of society, there are but few, if any, so well calculated to answer the purpose as the present school system. In those districts where the provisions of the law have been complied with, greater benefits than were anticipated have been realized. Schools, into which the children of the poor as well as those of the rich are admitted on a perfect equality, are pretty generally taught from six to nine months in a year, by respectable masters. Indeed, it is quite apparent that thousands are now in training for future usefulness, who under other circumstances would have been doomed to ignorance and obscurity on account of the poverty of their parents. It is known to the writer of this article, as it must be to many others, that a number of citizens now send from two to six children to school, each, who could not, without great inconvenience, pay for their instruction two months in the year. It is true, some of the more opulent, who have reared families to maturity, and have no children to educate, murmur at the burthens imposed upon them, for, as they phrase it, the advantage of other people. These complaints, it will be found upon examination, cannot be sustained. The whole Republic is deeply interested in the education of every son and daughter—and all cannot be instructed without the aid of all who have any thing that can be made liable to contribution.

When the present system was formed, it is not forgotten, that many were violently opposed to it on various grounds. We are very tenacious of those rules and regulations to which we have been long accustomed. Pride and ignorance often render us unwilling to change. All useful innovations are opposed at first. Upon becoming acquainted with their principles and witnessing their application, we become reconciled by degrees. This tendency to reconciliation is one of the felicities of our nature.

The location of the school districts was troublesome and frequently attended with vexation and animosity. The false belief that the more populous a district was the lighter would be the expense of tuition, had a governing influence. The injudicious policy pursued left many of the borderers at so great a distance from the center at which the school house was required to be built, as to produce great dissatisfaction. Happily, however, for the cause of learning, feuds have nearly disappeared in consequence of the division and alteration of districts. It is now a pleasure, in traversing the country; to see a comfortable school house at the distance of every two or three miles. What at first appeared odious and almost impracticable, has become popular and conspicuously useful.

It appears from the reports made to the County Auditor, that there are in this [Brown] county, upwards of six thousand and one hundred children between the ages of four and sixteen. This number, though astonishingly great, is imperfect, as several of the districts have not been heard from. Here then is an interesting multitude ripe for instruction, in the administration of which every reflecting man will feel himself concerned. If, from some frowning dispensation of Providence or woful neglect of man, these six thousand should grow up to manhood untaught, what a frightful spectacle of vice and moral degradation might we not live to witness! On the other hand, if this juvenile host should be well educated, might we not expect to see them shed an influence upon society cheering to the heart of every patriot?

The Directors of those districts from which no reports have been received deserve the most pointed censure. Surely their remissness cannot admit of an apology. They have done injustice to the whole county, as the fund for distribution will be apportioned on the basis of numbers.

Although the provisions of the school laws are well understood and easy of application, it is a fact not to be disguised, that the misdoings of the Directors in some of the districts are a serious injury to the householders. Funds intended exclusively for the purpose of defraying the expenses of tuition are not applied. In some instances this miserable policy is owing mainly to the want of discretion and harmony in the

Directors—one wishes to economize by employing a teacher at the cheapest rate—another thinks the spring or summer is a more auspicious season for improvement than the winter; and another is certain that Mr. A ought to be employed in preference to Mr. B; and thus, from a want of unity, nothing is accomplished. If I be not mistaken, there is no scarcity of persons who are willing to teach, and who hold the certificates of Examiners as to their qualifications. In the use of the school funds there should be no delay, as the demand for instruction is imperious. The last dividend was on an average sufficient to sustain schools in every district in the county from four to six months—a period within which a child of the age of six years, of common capacity, may be taught by a skillful instructor to read an *easy* book. Let all then be taught to read at the earliest day possible, when their services at home are of little account, and that they may possess the means of acquiring useful information. The index of reproach ought to be pointed at those Directors who, from obstinacy, indolence, or any other such cause, will not perform their duties.

Some people avow the opinion that children ought not to be sent to school until they are nine or ten years old. With such it appears to be a waste of time to argue. Every day will demonstrate to the man of the least observation, that children at a much earlier period are capable of making rapid advances in literature. Since the establishment of “infant schools” it is fully ascertained that the capabilities of the “babe that has just learned to prattle” are great. It is a fact well attested that at the age of four their perceptions are quick and memory strong. It is generally before that age that they learn to talk; and what is more difficult than the acquisition of language? Under our propitious school system, it appears to me, if parents and teachers will do their duty, that every child of good parts may be conducted at least once through the scriptures, and taught to write a fair hand, by the time he is eight years of age; and I would say seven, where schools are supported constantly. To restrain a child from going to school until he is ten or twelve, is an act of cruelty scarcely pardonable. When he does go, he sees him-

self surrounded by pupils younger than himself, who can read, and write, and cipher—he is awkward and stiff in his new undertaking—every hour brings mortification to his feelings—he dislikes his horn-book, thinks himself quite unfortunate and in the back ground, censures his parents, concludes he is a dunce, and could almost wish himself *hanged*. It is still more barbarous to place a female in such a distressing situation.

ON ILLEGAL TRANSFERS OF PROPERTY.

This is an age in which many noble efforts are made to render men wise, virtuous and happy. Ingenuity is tortured to discover some new and effectual means of forming man as he ought to be, both as he stands in relation to time and eternity. The exercise of the best feelings and principles of our nature is invoked in his behalf, as is also the kindness of heaven to improve and elevate his condition. But after all these busy endeavors of the age to promote his amendment and happiness, thousands remain absolutely incorrigible. They seem by their words and actions to place themselves beyond the reach of reform, and to glory in their shame.

These remarks have been suggested by the fact that there are many through the country, who, laboring under pecuniary pressure, "make over their property." Their certain and fixed purpose is to elude the payment of their debts. Against a practice so dishonest and vitiating in its effects it is the imperious duty of every good man to set his face. It is no departure from truth to affirm that the man who resorts to tricks and collusion to escape the discharge of his debts, justly forfeits claims to the character of integrity.

Promises to pay money ought to be made with great caution. Indeed they never should be made unless there exists a reasonable prospect that they can be fulfilled. It is not to be concealed that some who sustain, at least for a time, an elevated position in society, forget their engagements and make no endeavors to meet them, until compelled by law. Even men in good circumstances, making a public profession of piety, have been thus regardless of rectitude. If the love of virtue can have no influence with such, it is astonishing that the dread of censure has not. Into the hands of those whose province it is to exercise church discipline, should they be consigned to be dealt with as liars and knaves.

Some men make a very free and improvident use of their credit. As long as it continues, they are strangers to want; but when lost, not the least exertion is made for its recovery.

To promise and not to perform is, in all conscience, bad enough; but the offense is greatly aggravated, when the debtor conveys his property to one of his children or a friend, to elude the just responsibility of his engagements.

It is my purpose to offer some remarks relative to the manner in which such transfers are made; their legal efficacy and moral influence.

A debtor who is either unable or unwilling to pay what he owes, in an extremity, applies to one of his most confidential *learned* and *cute* neighbors for his aid and advice. The "fire-side lawyer," after looking wise and grave, propounds sundry important questions, and determines that a bill of sale, drawn *secundum artem* and *authentically* executed, will meet the case precisely. His services are engaged for a good day's work, and the instrument is prepared with many interesting schoolmaster cuts and flourishes. A son or daughter of the unfortunate debtor, to whom he owes not the value of a cent, except an education, is made the vendee of every article from the old grey mare down to the last "unmated fork," all of which are entered with great precision in the writing. The instrument is signed, and some of the family are required to affix to it their attestation. A sum of money is paid to the vender by the vendee as a due consideration; and all the specified property is *verbally* delivered; though it still remains in the grantee's possession, and to his use. After this solemn transfer, his fears of the constable are allayed, and he flatters himself he may deride and banter his creditors.

It seems in some neighborhoods to be a general opinion, that such transfers of property are good and available in law; and there is rather an unwillingness to test their legal efficacy before the appropriate tribunals. How this sentiment should have gained currency for a moment, I know not, unless it be ascribable to the great influence of the numerous *every day lawyers* dispersed throughout the country. What! Shall a man, by the practice of the most barefaced fraud, shield himself against the claims of his creditors? He cannot. There is no such temptation held out to knavery by our laws. Under such circumstances who would trust his neighbor? Our

citizens would look upon each other with the most scrupulous distrust, and confidence would soon be banished from their bosoms.

This is not our degraded and forlorn condition, nor indeed can it be, as long as justice and benignity shall form a feature in the legal institutions of our country. Can the sworn officers of our courts give countenance to unrighteous artifice, heedless of right and deaf to the forcible admonitions of conscience? The presumption is strong that they will make every exertion to "unkennel fraud," and give it the impress of their reproof.

To test the validity of such transfers, let the sheriff or constable levy upon the property, regardless of the bill of sale. The vendee will then proceed to assert his claim according to the provisions of the act of the Legislature in such cases. The burthen of proof will rest upon him. He will show his title, prove the execution of the instrument, the payment of money, delivery of the property, &c. The judgment plaintiff will then have his day in court to defend. Let him prove that the defendant in execution was in full possession of the property at the time of levy, exercising over it acts of ownership—that the payment of money, delivery and the whole transaction were a mere *sham*. Let the draftsman and the subscribing witnesses be "catechised into fools," and my word for it, fraud will appear, too rank to be overleapt by justice. The property being left in the full possession of the defendant is a striking badge of deceit. Such a case would present aids equally strong in arriving at its true history.

The influence which such criminal transactions must more or less exert, upon the morals of community, is just cause for uneasiness. The man who is base enough to "make over his property" in the manner indicated, and who could require his children to be witnesses, would expect them to depose according to his wishes and interest. Although they may incline to honesty, a wink or a nod from him places them in a very distressing and unenviable situation. On the one hand is the solemn obligation of the oath, and on the other, the dreaded indignation of an unfeeling parent. God forbid that

any father should be so indiscreet as to lead his child into circumstances so trying? It is however to be apprehended that in most cases, the rights of conscience would be but little regarded. The witnesses at the beginning, are, in a certain sense, participants in the fraud; and for the sake of consistency and to save appearances, may go all lengths in the suberviency of a bad cause. The first perjury brings with it certain ruin. This is as true as that the first false step of woman undoes her ever after.

TEMPERANCE.

Since "Philo" and "Somebody" have made a laudable effort to reform the intemperate, I have thought it not improper to contribute my mite for the same purpose.

A few days since I had occasion to visit my old friend Barzillai, whom I found adjusting a dispute between a couple of his neighbors, in the capacity of a justice of the peace. Simon Tippleshop had instituted a suit against one of his customers, Tom Rednose, who appeared to be in arrears for about twelve months. The account was exhibited, and never did I see one embrace more dittos. Curiosity prompted the justice to count the half pints charged, which amounted to one hundred and seventy. For some time the defendant appeared determined to require proof of every item; however, after much desultory conversation, he confessed judgment for \$21.25.

My friend Barzillai, who is one of those plain, honest, shrewd men, who are apt to remark on occurrences, addressed the plaintiff thus: "Simon," said he, "I cannot let you depart without expressing my sentiments on the indulgence you have allowed this man at your house. That he has offended against the rights of his family and every rule of propriety, candor must induce you to confess; then, sir, can you be considered innocent? Have you not aided him in his criminal pursuits? Have you not been accessory to his intemperance and participated in every crime he has committed while intoxicated?" Here my friend was interrupted by Simon, who justified himself on the ground that he made his living by tavern-keeping, and if he had refused letting Thomas have whiskey, some other person would. Barzillai replied, "Your reason is the usual one in such cases; but permit me to say, it is to the fullest extent fallacious, and really argues extreme ignorance of or inattention to its real character and tendency. On all occasions a man should do his duty whether others are disposed to do so or not. You are in the

same difficulty with the slave-holder, who without delay said it was wrong to have slaves, but that his neighbors had them, therefore it was proper he should. Many sin by precept; but the absurdity of such a course is obvious on a moment's reflection: If you cheat and steal, will I be justified thereby in doing so too? Indeed, lunacy itself would hardly be a sufficient apology for such doctrine.

"Again, Simon, you could not have been ignorant of Thomas' circumstances. That he was indigent and stongly inclined to frequent taverns was no secret—you also well knew that he had an industrious, prudent wife and several small children. These considerations ought to have been duly weighed before he became your debtor one dollar. The anticipated grief of his companion and distress of his children might have excited the most lively sympathy, and well do I believe, had you refused him liquor, and advised him of the evils that would result from an indulgence of his requests, you would, instead of having her maledictions, have had the expressions of a grateful heart."

My friend then turned to Tom, who sat very pensive, and observed, "Thomas, I could have some charity for you had this debt accrued in an innocent way. If Providence had visited your family with sickness, and this were the amount of the doctor's bill, your embarrassment might excite the most pious commiseration. As things are, your family is to be pittled for their misfortune in being connected with an intemperate man, and you for your imprudence. Were you to reflect seriously on the course which you have pursued for the last year, I am sure, if happiness were your object, a great alteration in your life would be the result. Were the money which you have to pay for making yourself a kind of voluntary demon the only loss you sustain, you would be more excusable. But alas! this is small, comparatively speaking. The loss of time and reputation with their alarming train of consequences, are, in estimating your damage, to be taken into account. The sacrifice of time has been great; and time, says the immortal Franklin, is money. The neglect of business is even already likely to involve you and your family in unspeakable distress. Recollect \$21 25 would have defrayed

the tuition of two of your children for one year. In that time they would have been taught to read. This would have been a most judicious application of any funds within your reach. Besides, it would be well to consider to what a deplorable condition the drunkard's character is reduced. He is the pest of society—he is shunned and despised by the sober, industrious and virtuous citizens. The intemperate man is very distinguishable from others. On his countenance the Almighty has thought proper to fix the appropriate sign—a sign very legible indeed. It indicates a desertion of all correct principles, a disregard of a good name, idleness, the most unpardonable stupidity, enmity to the happiness of society, and an entire devotion to crime. You are yet young—you have not perhaps arrived at that stage when intemperance becomes confirmed, or settles down into an irrevocable habit. If this be the case, recede. Let the happiness of society, the happiness of yourself and your dear family, redeem you from those haunts, which, if you continue to frequent, will inevitably reduce you to the lowest state of degradation.”

An unusual concern was visible in Thomas' countenance; he appeared to feel the force of every remark—and now, what affords me much pleasure, is the information from my friend B. that his poor suitor Tom has, since the trial, become an abstemious and industrious man, to the great gratification of his wife and acquaintances. Since the receipt of this news, I have committed to writing, from memory, the preceding observations of my friend, and hope that they may promote sobriety.

FELLENBERG.*

Any thing in reference to the means of education I am sure cannot fail to be acceptable to a Lyceum actuated by proper motives. Such institutions ought not to be startled at innovation. Without innovation there can be no systematic changes. To oppose all novelties is paying an undue deference to ancient establishments, and is far from being complimentary to the age in which we live; which is certainly one of curiosity, invention and enterprise. Men of the most towering intellects, equal apparently to the accomplishment of whatever lies within the power of mortals, animated by the love of human happiness, are now employed in the work of reformation. These laudable efforts are intended to reach man in his moral as well as physical condition, and elevate him to a point in his existence, worthy of the intelligent creatures of God.

Let me not be misunderstood. It is known to me as to others, that many projects are offered to the public by wild theorists, which common sense must intuitively condemn as hurtful, useless, or impracticable. I need hardly name Robert Owen and his adjunct Miss Wright, whose notions of society are too scandalous to be seriously detrimental; nor is it necessary to make a minute reference to a singular genius, who, a few years ago petitioned Congress for a grant of forty thousand acres of land in Florida, on which he wished to plant a colony, whose bad passions he would so effectually subdue by the charms of music as to render *all* laws superfluous.

Our fathers can tell us that eighty years ago spelling books were unknown. A primer and psalter were the books first put into the pupils hands, and the testament next. An aged gentleman, a resident of Augusta county, Va. informed me that he commenced learning to spell in the testament, which he thought, as it must have been truly, discouraging. Dil-

* Read before the Columbus Lyceum, in 1832.

worth's Spelling-Book made its appearance soon after and was used by his younger brothers and sisters very profitably. It afforded such a facility in learning to read, that he avowed, in very emphatic terms, his gratitude and respect for the author. Dyke's soon followed, and within the last thirty years school books of this description have been multiplied beyond computation—many of them offering essential improvements, and obtainable at prices so low as to be within the reach of every child.

In the mode of administering instruction the present generation have witnessed some important changes. The Lancastrian system for a while bade fair to be extensively useful; and I will confess myself uninformed why it has been so generally neglected. In the acquisition of the rudiments of a common education, it presented more to fix the attention of children and stimulate them to effort than any scheme within my knowledge. It appeared to be admirably suited to the wants and condition of towns and populous neighborhoods. It combined all the means conducing to a rapid advancement of the pupils, with quite a laudable economy of books, paper, &c. As the principles upon which this system was practiced are without doubt pretty well understood by the members of this Lyceum, it is not my purpose to make a more particular reference to them.

The preceding observations have been made as preliminary to others which will be submitted in reference to the famous school of industry founded about twenty years ago at Hofwyl in Switzerland, by Mr. De Fellenberg. As the accounts of this school as far as I know have been confined to works of rather a limited circulation, I have thought it would not be unacceptable to offer an outline of its structure and operations.

Hofwyl is situated in the canton of Berne, a district of country which at the beginning of this century was more distinguishable for poverty, ignorance and vice, than any other characteristic. Perhaps there were but few countries so materially injured by the desolating wars of that period as the land of William Tell. Many who before had enjoyed competence and comfort, were reduced to a condition which denied their claims to house or home. Beggars abounded, and

there were comparatively but few who had the means of relieving want and suffering. This pitiable condition of the country excited the compassion of De Fellenberg. He himself was a gentleman of education, in decent circumstances, and a practical farmer. To devise ways and means by which to ameliorate the circumstances of his countrymen cost him much serious reflection. He was sensible that much more must be done than merely affording temporary relief. It was necessary to reach the root of the evil by the adoption of other and more tardy measures, which he doubted not would eventuate in much good; and like a practical philosopher to work he went and founded his "School of Industry."

He began with about twenty boys, mostly mendicants, and the sons of paupers, on his farm, consisting of one hundred and seventy-two acres. The people of the vicinity viewing his enterprise with distrust, most generally exerted their influence to his prejudice, predicting his total failure. On his part there was no despondence—each succeeding day confirmed him more strongly in the hope of certain success.

The object of Mr. De Fellenberg was to combine labor and study; or, in other words, to make farmers and scholars.—Books, particularly at first, were but little used. The instructions were given orally, as well in the house as in the field. The teachers were incessantly in company with the scholars, availing themselves of every opportunity of imparting information, and rendering the impressions indelible. Love and a sense of duty were the inducements to obedience; punishment having been resorted to but once or twice in many years. The whole constituted one family governed by mild and paternal rules founded in the reciprocal affection subsisting between preceptor and pupil. On the part of the first, there was no disposition to be cruel or unreasonable; while, on the part of the latter, there was no reluctance in submitting to magisterial suggestion and authority.

Idleness is unknown to the institution. The hours of relaxation and amusement are made profitable. The pupils take exercise in tactics and athletic employments, in such a way as to render them more expert and powerful in arms, in the event of being called to use them.

Having breakfasted and received a lesson of about half an hour, they go out every morning to their work soon after sunrise. They return at noon, spend half an hour at dinner and an hour at another lesson, after which they withdraw to the fields and work until six. On Sundays their different studies require about six hours, which are so ordered as not to interfere with their going to church. The pupils are divided into three classes, according to age and strength; and every night an entry is made in the appropriate book, specifying with accuracy the length of time spent at labor by each class, the description of labor done, to what crop or purpose applied, &c. In winter, when the inclemency of the weather forbids out-of-door operations, the boys plait straw, knit stockings, assist the mechanics in their business, so that at no period of the year is there space for sloth and inactivity.

The course of studies is divided into three periods of three years each. In the first they study Greek and Grecian history, animals, plants and minerals: In the second, Latin, Roman history and the geography of the Roman world; and in the third, modern languages and literature, modern history and geography, the physical sciences and chemistry. During the whole nine years they bestow much attention upon mathematics, drawing, music and the gymnastic exercises.

It is reported the boys make as much mental improvement in the fields as on the benches of the school. While irrigating the meadows by conducting the water along artificial ridges and around hills, so as to make the most useful distribution, they are reminded of the principles of hydraulics, and discuss them with a view to their application. The arable lands, pastures and meadows, and I will add forests and gardens, offer them much matter for botanical and geological inquiry, and of which they avail themselves. The truth is, they

“Find tongues in trees, books in the running brooks,
Sermons in stones, and good in every thing.”

In order to encourage their attachment to property acquired by their own industry, the pupils are allowed certain emoluments, such as may arise from the seeds they collect, gleanings, and the fruits of their little gardens, which they are permitted to cultivate.

It may be said of them, that they keep aloof from the world; and strange as it may seem, they evince no inclination to see company or amusement beyond their own immediate circle. Their occupations from morning till night are so varied as to form a continual source of pleasure. Hard, oppressive, exhausting labor is not required. There, hurrying and bustle and confusion are not countenanced. The whole moves like a piece of nicely constructed machinery, and it is well understood there is a season for every thing, and that every thing must be done in season.

The morals of this institution are guarded with perhaps even more than parental concern. It seems to present very few temptations to transgress. The observance of the golden rule is inculcated with solicitude and success. It is not considered, as is generally the case, as too celestial and refined for the practice and benefit of mortals, but as suitable to every condition of life. There, kindness, benevolence, philanthropy, and all the amiable qualities of our nature, are cherished as essential to happiness; while anger, hatred, envy, strife and revenge, are almost unknown, if not altogether. Being kept aloof, as has been observed, from the community at large, the scholars are not exposed to the contagion of social vices. To prevent contamination, an evil much to be dreaded in the thoughtlessness of youth, they are denied the liberty of visiting their relations during pupilage; nor do they consider this a grievance.

Some may suppose young men thus educated would experience much inconvenience on going forth into the world to establish themselves; that they would be greatly exposed to the finesse and duplicity of knaves. This supposition is not well founded. Fact declares them to be less exposed than those educated or brought up in the ordinary way. Having the advantage of a good education, embracing as far as practicable a knowledge of man as he is, his selfishness and the motives by which he is generally influenced, the disciples of De Fellenberg move on in life with much safety, profiting by every occurrence. With literature they mingle much good common sense, which without doubt will be increased by their commerce with the world. Too elevated to associate

with the groveling and base, they aspire to and are allowed that rank in society to which on every fair principle, they are entitled. Decent in appearance, easy in their address, modest and intelligent in conversation, with high qualifications for business, their company is more sought for than repelled by the respectable. That they have been taught in the School of Industry, is a passport and recommendation paramount to all others. They are at no loss for employment. Those who were once beggar boys, scarcely a grade above the brutes, become in many instances, factors, clerks, instructors, the superintendents of farms owned by noblemen and the wealthy. Wherever they go they carry with them integrity, industry, science and system; and prosperity blesses their enterprises.

The moral influence which must necessarily emanate from this institution must be great, and produce invaluable benefits to Switzerland and the contiguous countries; for Berne is not the only section to be benefited. Even Russia must participate in the blessings of this school, as the Emperor Alexander, in his lifetime, put fifteen of his young subjects under the tuition of De Fellenberg.

AMERICAN FEMALE WRITERS.*

I transmit you the following biographical memoranda, which were furnished by an individual whose information may be relied on: a female most respectable and intelligent, who yielded to my earnest entreaty "to be made acquainted with the names of those American writers of her sex, who had cultivated that literary taste which renders sickness supportable, solitude pleasant, and society delightful."

"MRS. WARREN, of Plymouth, Massachusetts, flourished before my time; competent judges pronounce her as an historian in most respects equal and in some superior to Catharine M'Cauley. A near relative of the late President Adams, she appears to have inherited a portion of his zeal, ability and patriotism."

"MISS ADAMS, daughter of the celebrated Samuel Adams, compiled an accurate work, exhibiting a compendious account of the tenets of all the religious sects in christendom. It has passed through several editions and is found on the shelves of most theological libraries. It manifests a sound, energetic and inquisitive mind."

"MRS. MORTON, of Boston, published a poem entitled 'Beacon Hill;' also a series of moral essays entitled 'My Thoughts;' likewise a diversity of fugitive pieces, under the signature of 'Philenea,' several of which exhibit poetical enthusiasm and correct taste."

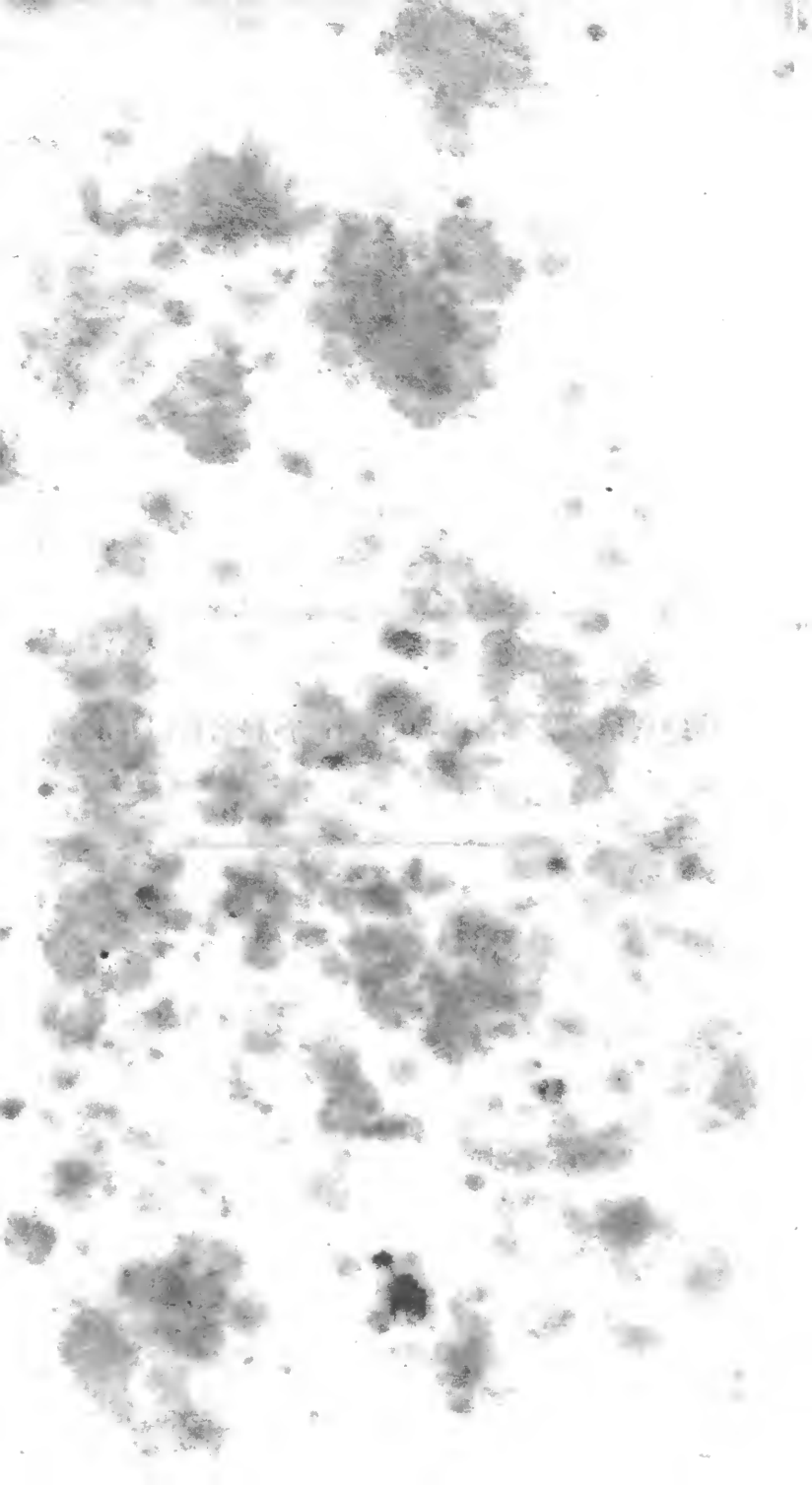
"MRS. MURRAY, of Boston, is the writer of two volumes of essays entitled the 'Gleaner,' which were heretofore well received by the public. And under the signature of 'Constantina,' several of her poetic effusions, also, which embellished the magazines and journals of that day, acquired her a fair portion of celebrity."

"MISS HUNTLEY, (now MRS. SIGOURNEY,) of Hartford, Connecticut, has written and published a volume of poems of a most edifying and serious cast; replete with poetic fire and beauty."

* Originally published in Mrs. Colvin's Messenger, June, 1827.



CONGRESSIONAL SPEECHES.



INTRODUCTION.

JUDGE CAMPBELL was in Congress from the year 1816 to 1826. For some mention of his services in the Representative branch of that body, the reader is referred back to the Biographical Sketch of him at the beginning of the volume. It is presumed that none of his speeches were ever written out in full, as any such have not been found among his manuscripts and papers. The extracts in the following pages are from the abbreviated and general copies, furnished by the Reporters to the leading newspapers at the seat of the Federal Government. They are, of course, very imperfect and incomplete, but may serve to give some idea of his manner of debate.

OHIO SCHOOL LANDS.

REMARKS of *Mr. Campbell*, on the bill "to authorize the Legislature of the State of Ohio to sell certain Lands heretofore appropriated to the use of Schools in that State," delivered December 21, 1825.*

MR. CAMPBELL, of Ohio, observed, that the suggestion of the gentleman from Illinois (Mr. Cook) appeared to be offered in a good spirit; but he was apprehensive that if it was adopted it would be found impossible to effect any sale of the lands at all. Some of them were of poor quality, and would not bring twelve and a half cents per acre. The restriction would occasion great perplexity, and the funds when collected would amount to a mere trifle. Mr. C. observed that one thirty-sixth part of the Virginia Military District, as that part of Ohio was called in which he resided, had been originally reserved for the support of schools. There were eighteen quarter townships and three sections of such land. It has been leased for a term of years, but had been in its result very unproductive. After various attempts it had been found impracticable for the State to avail itself of the friendly purpose of Congress by any other means than by obtaining the leave to sell the lands; he presumed that if such leave should be granted, the Legislature of Ohio would of course adopt some such regulation as that which had been recommended by the gentleman from Illinois, in order to prevent a sacrifice of the lands. But he thought it would be best to leave it to that Legislature to fix upon the minimum which they should deem expedient. He was aware that in the opinion of some gentlemen the Legislature of Ohio had committed a great error in making this application; but he had just observed in one of the morning papers that the Legislature of Georgia had been obliged to sell the lands appropriated for the support of Franklin College. The lands had been sold (according to the statement published) and the amount invested in bank stock; if the statement was unfounded he presumed the gentleman from Georgia would correct him.

* Originally published in the National Intelligencer.

THE PUBLIC LANDS.

REMARKS of Mr. Campbell, on a bill concerning the Public Lands, delivered February 8, 1826.*

MR. CAMPBELL, of Ohio, said he thought his colleague had used too strong a phrase, when he had required gentlemen to state the existence of an "urgent demand." He thought the policy which had been pursued, was the true one. What would, at this day, have been the situation of Ohio, of Indiana, of Illinois, of Missouri, of all our new States and Territories, if the policy had prevailed which was now urged by his colleagues? They maintain that the population is to advance in solid mass, with undivided front, and the surveys are to advance no faster than to meet the immediate and pressing demand. But this doctrine does not suit the genius or habits of American settlers. Adventurous spirits would break through this phalanx; and if no surveys were made would settle without them. On the gentlemen's system, the fifteen millions of acres which have been surveyed in Ohio would have more than sufficed to satisfy the whole demand of all the settlers of the United States. Would gentlemen wish to confine all the emigrants to the State of Ohio? Some of them wish to go north towards the lakes, some to go west to the Mississippi, others to settle with their slaves on the cane and cotton lands of the south. All these various tastes should be met and gratified. Large quantities of land should be surveyed in all the new States. There was enough between the Ohio and the Mississippi to satisfy all the emigrants from the old States: but that was not the question. These emigrants wish a choice, and they ought to have it. Gentlemen speak with apparent regret of the great advantage enjoyed by the early settlers. Well, sir, why should they not enjoy every advantage that could be given them? Are they not our pioneers? Do they not brave all the perils and undergo all the

* Originally published in the National Intelligencer.

privations of the wilderness? Have not some of them to carry their bread upon their backs for one hundred miles, and when they have put up their cabin do they not often find themselves twenty miles from any mill where they can grind their corn? Who encounter more than they do? Who are more worthy of the fostering care of parental government? And let it not be forgotten that when two or three families have thus ventured into the midst of one of your tracts of public lands, they form a little *nucleus*, round which other families gather, and that thus the value and sale of your lands is effectually promoted. The gentleman from Illinois has very truly stated, that advancing population first stretches itself along in the vicinity of lakes and navigable streams. But if the system of his colleagues had been adopted it would not by this time have reached the lakes. In fact it would have scarcely traveled beyond the banks of the Ohio river. In the Territory of Florida a large body of land should immediately be opened. The soil of that country is peculiar. The spots of good land are intersected and often surrounded with great quantities of sand and swamp. To reach the good lands the surrounding land must also be surveyed. This had been done in Ohio, and there was much land in that State which he would not receive as a gift. He would not tell his name to have the warrants. Mr. C. thought the machinery of our present system ought not rashly to be stopped, but that the surveyors ought to be kept in full operation. The system was liable to but one objection: it was true that the marks in trees would in the course of time become very obscure, and it might be true that the mounds erected on the prairies would by some means become obliterated; but the latter evil was comparatively of but small consequence, as nobody would think of settling in the middle of an immense prairie so long as they could purchase any where else; yet it was on these wide prairies that a great proportion of our surveys had been made. Upon the whole he was of opinion it would not be wise to change our system. It had succeeded admirably thus far; it had opened fields of enterprise, over which our population had multiplied in a manner not only to surpass our own expectations, but to astonish Europe.

PANAMA MISSION.

REMARKS of Mr. Campbell, on the question of the Panama Mission, delivered April 18, 1826.

MR. CAMPBELL observed, that the course proposed by the gentleman from Kentucky was one to which he must object. Threats had been uttered on the other side of the house, (perhaps "threats" was too strong a word, but at least a notice had been given which bore somewhat of that aspect,) that a motion would be made to lay the resolution on the table; and it was possible that, if the committee should now decide on the appropriation bill, and report it to the House, some one who was anxious to cut short the debate might propose to refuse afterwards to go into committee of the whole on the resolutions. For himself, he was as well prepared to vote on the proposition now as he should be after the printing. But, for the reasons which he now stated, he would now move that the committee rise.

April 20, 1826.

MR. CAMPBELL then rose and said, he should not have troubled the committee with a single remark on the amendment proposed by the gentleman from Vermont, (Mr. Mallary,) had it not been for an error into which the gentleman from Maine (Mr. Sprague) seemed to him to have fallen.— That he should have taken so incorrect a view of the question, is the more extraordinary, as heretofore, (said Mr. C.) I have admired the clearness with which he has stated his propositions, and his happy manner of supporting them. He thinks the retention of the words now proposed to be stricken out, might operate most seriously to the prejudice of this country, before the next session of Congress. He has intimated, it is possible the Holy Alliance may make some movement, in reference to the Governments of this hemisphere, which would require our Executive to adopt countervailing meas-

ures; and that it would be highly improper to impose restrictions which might affect the safety of the country.

Here Mr. C. asked permission to read the words which are so exceptionable, and supposed to limit the President: "Nor ought they (the United States) to form any alliance offensive or defensive, or negotiate respecting such alliance with all or any of the Spanish American Republics; nor ought they to become parties with, or either of them, to any joint declaration, for the purpose of preventing the interference of any of the European Powers with their independence or form of Government, or to any compact for the purpose of preventing colonization upon the continent of America."

The whole amendment, as modified, has an immediate bearing on the intended Mission to Panama, and to that only. It alludes to certain measures of a joint character, which might be adopted, and to which it is the duty of this committee to oppose their opinion. With this view of the case, he asked the gentleman from Maine to say how these words could, in the event of an attack upon our country, which he has supposed possible, be construed into a restraint upon the President. Certainly, so far as we are concerned, his constitutional sphere of operation would not in the smallest degree be abridged. His freedom of action would then be what it now is. But he (Mr. C.) denied the constitutional power of the Executive branch of the Government to do, through the ministers he may send to Panama, what those words seem to inhibit. Should such an event occur, as the gentleman supposes is possible, prudence would dictate the propriety of convening Congress, by proclamation; and this he had no doubt would be done.

As he was up, he would state, that at the beginning of this discussion, it was his purpose to have submitted his views at large, as to the contemplated Mission. This purpose, from a desire to economise time, he had abandoned more than a week ago. To the subject he had given some attention; and he would now avow the conclusion to which he had been conducted. Apprehensive that evils might ensue from the Mission, it was his intention to vote for the amendment. This will afford to our constituents an indication of the course which

we think ought to be pursued relative to our republican sisters of the South; and perhaps admonish the Executive to be cautious in giving instructions to our Ministers. At the same time, it is due to candor to say, he should be opposed to the appropriation, and this, too, without involving himself in an inconsistency. It was his wish that the Mission may at least be harmless.

The whole tenor of the amendment proposed by the gentleman from Delaware (Mr. McLane) is evincive of a want of confidence in the Executive. This is my opinion. He has given us cause of distrust. The course he has taken in reference to the Congress at Panama, since he accepted the invitation, has been to me rather mysterious. He seems to have shifted his ground on some points, and to give new coloring to his reasons. To him his message to this House, under the call for information, had been a perplexing paper. It presents many salient points, which, upon close approach, disappear. As his ingenuity has been taxed in the invention of arguments, which to many are quite unsatisfactory, the amendment, without any part being expunged, ought to be adopted.

The President, in his communication to the Senate, has shown a disposition to discuss, through the Ministers who may be sent to the Congress of Panama, the subject of religion. Is it possible this subject will be offered for discussion? It is one of the last on which Governments ought to interfere with each other. If our neighbors will not profit by the writings of our philosophers, politicians, constitutions and laws, in this particular, they will not though one rose from the dead. At such moments he blushed for his country.

Much has been said, in reference to the Islands of Cuba and Porto Rico. Of the important relation in which the first stands to this country, he was fully sensible. But, could we, without the violation of the laws of nations, say that this Island shall not change owners? If Spain should continue unwilling to recognise the independence of the Southern Republics, still entertaining the hope of an ability to reduce them to what they once were, and they should invade this Island, he inquired whether we would have a right to com-

plain? He admitted we might remonstrate and protest. This might be proper, on account of a certain description of property in the southern States; but he denied that we would be justifiable in the application of force. I go farther, (said Mr. C.) and deny that Spain has not a right to cede this Island to whom she pleases, though such cession might be considered by us as incompatible to our interests.

Much had been said of the memorable pledge of Mr. Monroe, and its effects. The gentleman from Massachusetts (Mr. Webster) had, in very strong and eloquent terms, spoken of it as having had great influence upon the Holy Alliance. He did not think so; nor did he believe it had more than that gentleman's interesting speech on the Greek question; which, if report can be relied upon, was translated into several languages.

Having said more (said Mr. C.) than I intended, I will close, with the hope that the present motion to amend may not prevail.

April 20, 1826.

Mr. CAMPBELL then said, it was with great reluctance he again trespassed upon the patience of the committee. It would ill become me to do so, (said Mr. C.) had not the very few remarks I have already made on the question now pending, induced the gentleman from Illinois (Mr. Cook) to make a speech. He has alluded to opposition to, and want of confidence in, the President, as well as to adherence, and disclaims being influenced by any other than honest motives. This declaration it is charitable to believe. We have heard much of organized and factious opposition. Many of the papers which go from, and are received at this place, allude to such a state of things. If reliance is to be placed on these rumors, some might suppose the "Opposition" is as compact as if sworn together.

At the commencement of the present Administration, (said Mr. C.) though the President had not his vote at his elevation, it was his intention to support all his measures which he believed the good of the country required he should support. From this purpose he was not yet diverted. Such was

his course during the incumbency of his predecessor. If there be a party in Congress, as charged, opposing for the sake of opposition, or influenced by any other unworthy motive, he was not a member of it. If the question, growing out of the Mission to Panama, is to be the test of parties, it is quite evident those who think it inexpedient are not well organized. They appear to act without a leader or concert; their maneuvering is truly militia. Some days since he thought there was ground for complaint: pending a resolution, whose object was a call on the Executive for information, a gentleman from Kentucky (Mr. Trimble) had said it seemed as if there were a spirit of opposition, he would not say organized opposition, as there were so many calls. To declarations of this description, it is just as correct to speak of an Administration party who are determined to go for the "whole," right or wrong.

The gentleman from Illinois (Mr. Cook) has alluded to my want of confidence in the Chief Magistrate. If the absence of this virtue, which some possess in a large degree, be a crime, guilt rests upon me. Every act of his in reference to this Mission, is, with him, calculated to produce distrust, and a belief that he possesses not those qualifications which fit a man for presiding over the destinies of this country. Although he may be erudite and profoundly versed in the laws of nations and diplomacy, if he lack good practical intelligence, he lacks what is indispensable. His habits have been those of the untiring student, and books his companions. A knowledge of man is not to be acquired in the closet. To become well acquainted with the human character, with the motives and springs resulting in action, we must mingle with the world, and read the great volume of our nature. To do this he has had but little inclination. In support of the character I have drawn, were it proper, I would give proofs which to me are convincing, though to his admirers they might not be satisfactory.

This gentleman has his advocates as well as opponents; as well in as out of this House. Shortly after his annual communication appeared, gentlemen who read the Enquirer need not be informed with what zeal and ability the editor at-

tacked many of his projects. These attacks seemed to render defence necessary. It cannot be forgotten that one of his ablest newspaper supporters was "Corn-planter," whose labors appeared shortly after in the National Intelligencer. I think I know "Corn-planter." If I be not much mistaken, I could guess his name at two trials. He shoots a good gun, aims well, and his piece seldom misses fire. If he has not successfully responded to the able editor of Richmond, he must at least have convinced him that if the President did sin, in recommending so many exceptionable subjects to Congress, he sinned by precedent.

The gentleman from Illinois (Mr. Cook) has charged me with entertaining notions of international law wholly unsupported by reason, and incompatible with the interests of the West. When replying to the gentleman from Maine, (Mr. Sprague,) he meant to be understood as saying he had no right to interfere in the contest between Spain and her Colonies, in reference to the Islands of Cuba and Porto Rico; and that, if these were the only points, as now seemed to be the case, which they would assail, their right to transfer forces thither was indubitable; or, if Spain chooses to cede those Islands to France, although we might suppose ourselves injured, we are without remedy. He was as much alive to the interests of the western country as any gentleman, and would be unhappy to see a powerful nation in possession of a point from which our commerce might be greatly annoyed. If the state of facts justified the belief that our safety and existence were in danger, we might remonstrate, and even resist, by force, such occupancy.

It is our interest that the Island of Cuba should be owned by a weak nation, or remain a Colony. Its weakness would suit our convenience; but, he asked, does it follow that we are justifiable in resisting, by arms, a change of its condition? Certainly not, unless in conformity with the principle of self-defense, the first law of nature. When the dangers exist, which the gentleman now seems to imagine are even at our doors, his rule of action and my own will not be found materially different. When the interests of this country are,

by the Holy Alliance or any other power, so essentially disturbed as to require a resort to arms, with him he agreed the citizens of the West will not be found deficient in patriotism. That courage which nerved the arm and prompted to deeds of "noble achievement" in the late war will demand action.

When what is called the Holy Alliance was instituted by some of the most powerful nations of Europe, to sustain the "divine right" of kings by repressing every effort which might be made in developing and fostering the rights of man, it cannot be forgotten what was the indignation of every patriot. So odious was it in this country, that it was every where execrated and denounced. Now, it may be asked, what is the object of the Congress to be held at Panama? Is not the inference strong that it is to operate as a countervailing body? Mr. Canas speaks of the European "Continental system," and that America should form a system for itself, and assemble by its Representatives in Cortes, whenever circumstances might require; and Mr. Salazar indicates a secret "eventual alliance." It is far from me to say that Southern republics ought not to form among themselves an alliance or combination for their own defense against Spain or any other assailing power. Their condition is very similar. They were all colonies, speaking the same language, and subject to the same power. Their struggles for emancipation have been produced by the same causes. Their enemy has been the same, and their toils and suffering have been crowned by the same happy results—as Spain still refuses to recognize their independence, and flatters herself that their future reduction is certain; the acquisition of strength, by a confederacy, is their undoubted right. In making this acknowledgment he now and ever would protest against our becoming a party. We would gain nothing, and might put much at hazard. In strengthening them we should weaken ourselves. Should the Holy Alliance make any movement in reference to this continent, affording satisfactory proof that the very annihilation of republicanism or representative government was their object, then it would be our duty to adopt any measure in conjunction with our neighboring republics which prudence

might dictate, in defense of the rights of man. Until the emergency happens, which may be viewed as very improbable, we should stand aloof.

If, Mr. Chairman, it were not the case that we can accomplish through Ministers in the ordinary way, every object which is common and fit to be accomplished, a Mission to Panama would be to me more tolerable. We have at this time diplomatic connections with the most of the new republics. Three treaties have been negotiated on unexceptionable principles. Our policy in relation to them has been dictated by prudence, and so far has resulted in mutual good will and advantage.

It seems to me the circumstances attending our invitation to send Ministers to Panama discloses on our part a want of delicacy. For so distinguished a favor we have been too eager, and do not, as is my most deliberate opinion, know what they are to do. In one part of the President's Message we are informed our agents will merely consult—in another, consult and negotiate—and so says the committee of foreign affairs. To merely take counsel together, to deliberate, to interchange ideas on the topics introduced for discussion, would at least seem innocent. But who, in his sober senses, can believe this Congress is to be merely consultative, so far as we are concerned? To negotiate, will doubtless form a part of their duties. It is the character of the negotiation he feared. But, say gentlemen, a treaty formed at Panama would not be binding without the approval of the President and Senate. This is granted. Would not, however, its rejection, particularly if made in pursuance of instructions, excite jealousy in the other contracting party? This would, he had no doubt, be most unfortunately the case, and the charge of infidelity to, and disregard of, our promises be fixed upon us.

We have (said Mr. C.) been informed by the President, our neutral charter shall be maintained; and that a compromise of it is neither expected nor desired by the gentlemen giving us the invitation. To me there is a paradox in this affair. These Ministers, in plain terms, point out what is to be done—the questions to be settled—some of which we cannot discuss without a forfeiture of our neutral rights; and yet, in

the next sentence, they say our relations will not be changed. This is most strikingly the case in the letter of Mr. Obregon. I ask gentlemen who are versed in the mysteries of this novel project, to aid my understanding.

Much, sir, has been said of Mr. Monroe's memorable pledge, and our determination not to witness with indifference an interference of any European power except Spain, with the independence of Spanish America. As for the pledge, the gentleman from Maryland who spoke yesterday (Mr. Worthington) has very properly denominated it a mere *brutum fulmen*—an empty declaration; but which some think full of meaning and effect. It ought to be a matter of much regret that any of our Ministers should feel authorized to urge it as an argument in negotiating a treaty. This, we are informed, has been done. Gentlemen frequently recur to the term "indifference." What do they mean by it? It is very indeterminate. If by this expression we are to understand concern, dissatisfaction, discontent, he had but little to say. But if, on the other hand, they mean a fighting "indifference"—a determination to court the bloody contest, he could not concur with him. If France should obtain a cession of Cuba, as we did of Louisiana, we would not be entirely indifferent. But could we legitimately wage war? Could we be justified before the world in seizing upon that Island ourselves, and preventing the possession of France? This would seem to him a rash act, and wholly indefensible. The consequence would be hostilities with two nations. Should such an unhappy state of affairs take place, he would ask the gentleman from Illinois (Mr. Cook) whether our countrymen of the West, brave and adventurous as they are, and much as they might desire to see our southern commerce prosper, could be easily persuaded to buckle on their knapsacks and shoulder their rifles, to fight battles in Cuba under a vertical sun?

Again: If England and Colombia should become hostile to each other, which is a possible event, why should we interfere or take part in the contest? the policy dictating such a course would be justly reprehensible. The duty which we owe to our country demands that we be merely lookers-on,

until we have just cause to be concerned for our own safety, and then decide according to circumstances.

Gentlemen seem quite transported with love for the new republics, and think they will always be amiable and peaceful. Let them, however, recollect that this passion, delightful as it is, is often indiscreet, and does many foolish things. This the lover, it is true, may not know. He may be too blind to detect his own weakness, or to see that he is the object of merriment. That gentlemen may not entirely overlook the fact that even republics have been quarrelsome and fought for glory, they are admonished to consult history, the faithful pages of which will show that they have been aggressors.

Sir, much has been said by the President and others of "sympathy." Even to-day, the gentleman from Pennsylvania (Mr. Markley) has made this a topic of his speech. He has been so obliging to our sister republics—for so we may most properly call them—as to place this country in a relation of a parent, giving them fatherly advice and other tokens of regard. They have translations of the works of our ablest philosophers and politicians. They study our constitution and laws; their Envoys here will gain useful intelligence; through ours in their countries, much will be imparted. As for our sympathy, they need it not. From the manner in which the term has been used, it seems to imply an odious inequality, and savors rather too much of commiseration or pity, which they neither need nor desire. Their progress in the science of politics has been rapid, and I doubt not they have availed themselves of our experience. Indeed, their advances in self-government towards peace and happiness and reputation have been astonishing, when we recollect that "to climb steep hills requires slow pace at first."

The President is not only anxious to teach them how to live, but also how to die. The subject of religion the gentleman from Illinois has said he will not discuss. In this he has shown prudence. What is religion? I answer, it is the "homage which man owes to his Creator." It is a matter between him and his God, and about which one nation cannot, without the imputation of meddling, interfere with an-

other. The protection of every citizen in his religious rights, in the adoration of his Maker, undisturbed, is the glory of our constitution. Time and reflection will teach our neighbors to improve their condition in this particular. As, in the formation of their governments, many conflicting interests were to be consulted, many parties to be reconciled, they have pursued their true policy. What they now are they could not have been, had they denied the ecclesiastics a religious establishment. The statement and reasoning of the President on this subject would constitute a reason satisfactory to me, in the absence of all others, for opposing the Mission to Panama.

Sir, before taking my seat, there is another subject on which I will touch. The allusion is to the President's commentary on General Washington's Farewell Address. To that most valuable of documents, whose principles in reference to this country resemble those of morals, being just and safe at all times, he has done great violence. This attempt to pervert the meaning of that precious instrument, I denounce as jesuitical, and an outrage upon common sense. What did Washington mean? Did he not intend to caution his country, whose prosperity he had much at heart, against alliances, foreign "entangling alliances"? Was not his admonition to operate prospectively and through all time? So every school-boy understands him. Yet the President, in putting his meaning upon the Address, would induce us to believe if Washington were now alive, he would retract his counsel, as not applying to the new republics, they being in the American hemisphere, and not foreign; and hence, that alliances ought to be formed. This is a shocking interpretation, and may well excite fears that a Mission to Panama may involve us in difficulties.

Satisfied, sir, that no good can result from the contemplated measure, and that serious evils may, it shall have my unwavering opposition.

APPROPRIATION FOR A ROAD IN OHIO.*

REMARKS of Mr. Campbell, of Ohio, on the bill to appropriate a certain quantity of land to defray the charges of laying out and making a road from the mouth of the Miami of Lake Erie to the Connecticut Reserve, delivered January 10, 1823.

MR. CAMPBELL, of Ohio, rose, not so much to urge arguments in support of the bill as to notice the remarks which fell from the gentleman who had just taken his seat, (Mr. Hardin) as to what might be the conduct of the State of Ohio in regard to the road. A year ago the Legislature of Ohio had passed an act on this subject in which she had evinced her willingness to take upon herself the trouble and expense of making this road if the right of the United States to the land in question were ceded to her. He did not pretend to say that this road would not be an advantage to the State of Ohio, but it would be of more importance to the interests of the Union generally. The country in which this road lies is one of the most valuable in the Union, and as little had been done for it as any section of the Union. On this point he would only observe (he said) that so great was his zeal to increase the population of the peninsula of Michigan, he was willing to vote even two or three thousand acres of land to those who would settle it, or he would sell the land at fifty cents per acre if it would induce a settlement of it. He would use every means to accomplish an object so desirable. On the score of money, which is said to be the sinew of war, much that was expended during the late war would have been saved had the proposed road then existed: and the petitions even at this day presented by the delegates from that territory, remind us in what condition the fortune of war has placed it. In a pecuniary point of view, (said Mr. C.) the House could not err in passing this bill. As far as he

* Originally published in the National Intelligencer.

knew the sentiments of the State of Ohio, she would take a deep interest in making the road. Mr. C. examined the treaty provision respecting this road, which he agreed did not assimilate itself to the general treaty provision respecting roads adverted to by Mr. Cocke, inasmuch as those provisions were inserted to accommodate the United States and to be executed at our pleasure, whilst in this case the stipulation was obligatory and binding on the United States. The population of Upper Canada (Mr. C. said) had greatly increased in consequence of the liberality of the British Government to settlers. That government considers its possessions in that quarter vulnerable, but they are not as vulnerable as ours. Whilst they are increasing their strength in that direction, ought we not to be increasing ours. Any course different from this must be a blind one, and such as the government ought not to pursue. The gentleman from Tennessee had said, if the people of Michigan are interested let them make the road. But will their physical means enable them to make it? They are interested in the road it is true, but there is no population in the Union of two thousand souls able to make a road of forty-five miles in length through such a swamp as that. They are already weighed down with taxation, and are perhaps the most oppressed under the Government of the United States. In answer to the remark, that if this bill passed application would be hereafter made to the United States for further aid to complete the road, when those applications were made it would be the duty of Congress to act upon them as should appear to be right. They would stand or fall on their own merits or demerits. If rightful, they would be granted, if otherwise, they would be rejected.

BANK OF STEUBENVILLE.*

Mr. CAMPBELL, of Ohio, submitted the following resolution, February 12, 1823:

“Resolved, That a committee be appointed to ascertain by whom the suppression of the paragraph in the letter of William R. Dickinson, cashier of the Bank of Steubenville, to the Secretary of the Treasury, dated April 3, 1819, and by him communicated to this House at the last session, was caused, with leave to sit during the session, and with power to send for persons and papers.”

Mr C. said that in submitting this resolution he disclaimed any thing like personal motive. He stood in the relation of good will to all the persons who might be implicated in any way in this iniquity. If he knew himself, he did not bear ill will to any human being that breathes. But inasmuch as he had taken some part in the discussion of the resolution, out of which grew the late report of a committee on this subject, he was in some degree induced by that consideration to propose a further inquiry on this subject. When advocating that resolution he said he was under the influence of an indignant feeling—a feeling natural to all men on suspicion of fraud having been given, and that was the only feeling of his heart on that occasion. He did not now mean to say that it would be practicable to discover who was the author of the mark on that document (A. 5)—but inasmuch as a majority of the former committee considered the powers of the committee too circumscribed to allow them to go into a full investigation of the subject as far as it might be carried, he had thought it would be well to clothe a committee with powers more extensive. In submitting this resolution he by no means meant to cast any reflection on the former committee. The report itself and the quantity of documents annexed to it, prepared in so short a time, proved the industry as well as the ability

* Originally published in the National Intelligencer.

of the committee to whose report he did not mean to urge any objection.

He did not mean to say that if this resolution was adopted the inquiry would result in the detection of the author of that erasure. But inasmuch as the report of the former committee declares that certain persons did not do it, it was proper to ascertain if possible who did do it. If it should not be possible, the committee would so report. Some, however, whom he had consulted, thought that to institute a further inquiry would be to give unnecessary importance to a small matter. In that report of the committee, however, it had been stated to be a matter of consequence, and the manner of their investigation of it showed it to be so. Having made it so, it had become proper to investigate it further. It is due (said he) not only to ourselves but to the nation at large that it should be investigated, for in almost every newspaper we meet we find something on the subject. It is not my intention in submitting this resolution, to impugn or attack any body. It is altogether unknown to me upon whom this charge will rest, and if a discovery of the author of the erasure in question should be made, he hoped it would turn out to have been made with other than criminal views. In whatever manner it had been made the result of it had been in the nature of a fraud on this House. With these views he submitted the resolution to the disposition of the House.

February 16, 1823.

Mr. CAMPBELL, of Ohio, said when the amendment of Mr. Cook was yesterday presented, he had thought at first that it would embarrass the inquiry proposed in the first resolution. But upon a closer examination he was induced to think differently, and it appeared to him there was a sufficient connection between the two to keep the subjects connected—and he would state the grounds of this opinion. The gentleman from Illinois appeared (said Mr. C.) to intimate that the committee which heretofore pursued the subject did not go as far as it should have done in examining the character of the documents referred to, and that if it had gone further a different impression from that which it had expressed would have

been the result. If any credit is due to statements of this kind, if it is ascertained that the Secretary of the Treasury has withheld information which ought to have been imparted to this House, it appears to me a proper subject for investigation. If in the progress of events it should turn out—and I am arguing as the nature of the case seems to require that I should—that any documents have not been communicated from the Treasury Department that ought to have been, showing that the Secretary of the Treasury was interested in withholding them, in order to avoid an implication of himself, I ask the committee whether that be not a fair subject of investigation? We know that the fact of the deposit money in certain banks was unpopular, and if any documents or parts of documents respecting that fact have been withheld—the committee may inquire by whom and why these documents were suppressed. I therefore am opposed to striking out that part of the resolution.

February 17, 1823.

Mr. CAMPBELL, of Ohio, said that from the course which the gentleman from New York had taken, he felt himself called upon to make a remark or two in defense of his original motion, which the gentleman from New York seemed to consider so necessary. It might be owing to the advantage which that gentleman possessed over other gentlemen, that he had been able to discover who had made the disputed erasure. It is well known (said Mr C.) that such is the structure of the human mind that less evidence is necessary to convince some minds than to convince others. For my part I am slow to believe in such facts as he charges on Mr. Dickens. It may be considered as an undeniable fact however, that *some person* has caused the suppression of this paragraph of a document. The object of the inquiry which I have proposed is to ascertain who this person was. It is proved not to have been the printers: this is put beyond question. Whether it was some person in this House or attached to it, or to the Treasury Department, is a subject for inquiry; and the proof submitted by the committee does not warrant, to my mind, the conclusion at which the gentleman from New York seems

to have arrived. I will admit that by straining the testimony you may infer that Mr. Dickens himself may have made the erasure. I have examined the evidence with attention however, and have not satisfied myself on that point. As I presume many other members are in the same situation with myself, it seems necessary that the first part of this resolution should be adopted, whatever becomes of the remainder of it.

Mr. C. then proceeded to notice the observations of Mr. Floyd, and to show that there is such an analogy between the two objects of the resolution as to justify their connection. He did not wish it to appear that any person had been privy to this erasure with an intention to commit a fraud upon the House, but such had been the effect of the erasure. He did not expect to obtain conclusive proof upon the subject by further investigation. If any person would commit a fraud of this description, he would not do it openly, and any one who had made the erasure with fraudulent intention, would doubtless perjure himself to conceal it.

The proof (he said) was not conclusive that Mr. Dickens made these marks. As to the argument that all the marks, those acknowledged and that which is denied, being made by the same pencil—if I know any thing about pencils (said Mr. C.) they all make the same kind of marks. That argument therefore, can have no weight with me in the determination of this question. Mr. C. then recapitulated the objects of the part of the resolution which was yesterday added, at Mr. Cook's suggestion, to show its analogy to the original proposition. The objects of inquiry which it proposed were proper in themselves, and proper also to show whether any motive of concealment would probably have induced the suppression of these passages in the letters. On the supposition, for the sake of argument, that the Secretary of the Treasury, or his clerks, had such a motive, the inquiry into that fact was certainly so nearly connected with the inquiry into the fact of who made the erasure, that it ought not to be stricken out of the resolution.

CONTESTED ELECTION.*

REMARKS of Mr. Campbell, on a resolution opposing the right of Mr. Bailey, a member returned from Massachusetts, to a seat in the House, delivered April 9, 1824.

MR. CAMPBELL, of Ohio, said, most of the gentlemen who had preceded him in this discussion considered the question one of great moment. With them he was disposed to concur in opinion, and would say as it involved the construction of an important clause of the constitution, it deserved a full and patient investigation. If any question, agitated during the present session, had more than another excited in his bosom an anxiety to arrive at a correct conclusion, it was the one under consideration. The gentleman from Connecticut (Mr. Foot) has assumed a position which he thought was altogether untenable. He has gone so far, if he was correctly understood, as to intimate the constituents of the gentleman, the right to whose seat is now disputed, are much more competent to decide on his qualifications than we are.

[Mr. F. explained, and said he did not wish to be understood as denying this House jurisdiction.]

Mr. C. said he supposed the gentleman had used language which upon reflection he would be inclined to qualify. The gentleman from Massachusetts (Mr. Fuller) who addressed the committee yesterday advanced a similar opinion. He has informed us the electors of the Norfolk district had long been acquainted with the sitting member. He had been born and educated among them. As his residence here has not suspended his intercourse with them, they knew his sentiments. They believed him eligible and gave him their votes; that therefore this House ought to acquiesce in their decision.

[Mr. F. explained by saying the judgment of his, Mr. Bailey's, constituents was entitled to much consideration.]

* Originally published in the National Intelligencer.

Mr. C. said he thought so too; but he would protest against the obligation of such a judgment. It could not be binding on us. It might awaken our vigilance and induce us to approach a decision with increased care. The recognition of a different doctrine would leave but little to the performance of this body, under that clause of the constitution which gives it authority to judge of the qualifications and returns of its members. For what purpose is this House required to pronounce sentence in any case of contested election, but particularly in one involving qualification, if the constituents of the returned member be the most competent judges? We constitute the legitimate tribunal; and he for one was prepared to perform his duty. The gentleman from Massachusetts informs us the member from the Norfolk district had, after an absence of four years from the State, been elected a member of the Massachusetts Legislaturè; that gentlemen, highly respectable for talents, when consulted, declared him eligible, although the constitution of that State required a year's residence. These facts are urged with great force in favor of the member's eligibility to Congress. Upon examination, it will be found that nothing conclusive can be deduced from them. Mr. C. asked whether his election had been contested? He presumed not. If it had been we should certainly have heard of it, as it would have added much to the weight of the argument. Hence, it is impossible to say, what the result would have been had his right to the seat been questioned, as it now is. This disclosure of facts is very creditable to the sitting member. It proves he was popular where he had been long known. His great popularity and the sameness of politics in his town may have left him without a rival—without an enemy to contest his title to a seat. Mr. C. said the constitution of Ohio required among other things, that a person, to be eligible to a seat in the House of Representatives, must reside at least one year next preceding his election in the county which he may wish to represent. This clause he doubted not would render ineligible every person who might leave the State and go into another to obtain a livelihood, by teaching an academy, as the member from Norfolk is reported to have done. Indeed, he thought in Ohio this interpretation

of the word *inhabitant*, say those who support the principles of the report of the committee of elections appear to consider every person ineligible who is not *actually* a resident of the State at the time of his election; that this doctrine would preclude the idea of the eligibility of every one who might be absent on business whether public or private on the day of election. This was gratuitous assumption on the part of the gentleman. It was an abridgment of right. It was an interference which he felt sure could not be drawn from any argument he had heard. The rule which would produce this effect could not be a correct or useful one.—What! disfranchise a citizen who might be sent on a foreign mission! Surely this could never have been intended. The character of a minister is this: He is the representative of his country, in its sovereign or national capacity, in the one to which he may be deputed, without the forfeiture of a single right, although he ceases for a time to be an *inhabitant*.—This is inferred from the necessity of the case. He would be a traitor to his government if he attempted to become a citizen or subject of the power to which he is sent. In the nature of things, by his actual change of residence he acquires no political rights. In the enjoyment of those which are essential to him in his representative character, he is protected by the law of nations. This is all he needs: this is all it is proper he should enjoy. An assumption of the civil and political condition of the country to which he might be sent, were such a thing practicable, would terminate his ministerial functions, as then he acquires none of those rights in the country of which he is an actual inhabitant, of which his removal for a time has interdicted him in the exercise, it would be folly in the extreme to say on his return he should be classed with aliens. Yet gentlemen liken the case of the sitting member to that of a minister to a foreign court. Mr. C. said the similarity, if any existed, had so far eluded his observation. Indeed, it was plain to him there was none.—The member from Norfolk, by leaving his native State and locating himself here has lost nothing. His immunities are not affected by the resignation. What he loses there he acquires here. If he ceases to be eligible to office in Massa-

chusetts he is compensated by the acquisition of correspondent privileges in this district. At all events, no one can say with any expectation of being credited that he would not have been eligible had he crossed the river into Virginia and resided there six years as he has done in this city. The gentleman from Illinois (Mr. Cook) has favored the House with an ingenious argument, but which when tested will be found inconclusive and unsatisfactory.

He says we have two forms of government, meaning the State and Federal: that to carry on the operation of the latter the citizens of one State are sometimes sent into another, or into a territory, in the character of officers; and that to say they lost the right of inhabitants of the States which they might leave, would be doing violence to State rights, as each State had an interest in the service of its citizens. Mr. C. said this had frequently been the case, and the officers continued in the State or territory and enjoyed all the privileges of citizens—as in the case already mentioned, what was lost at one place was fully made up at another. Correlative rights press upon the emigrant, and he may enjoy them if he chooses. To make the case still more intelligible, (Mr. C. said,) he would suppose an inhabitant of the State of Illinois were appointed a register of a land office in Ohio, and were to move with his family there. What would be his relation in regard to the two States? Certainly his connection with the first is severed, and a new one formed with the latter. Certainly he ceases to be an inhabitant of Illinois and becomes a citizen of Ohio. To affirm the State he left is still entitled to his allegiance and service, would give a negative to the right of locomotion, a right which we see exercised every day without complaint or any supposed prejudice to the right of the States. The gentleman from New Hampshire (Mr. Livermore) contends if the word *inhabitant* be properly defined by the committee of elections, no person can be eligible to Congress who is not *actually* in the State on the day of election. This, he thought, was putting an extreme case. Such an idea he supposed no member whatever entertained. He was certain even the term “locality of existence,” which had been examined with so much attention, was not intended to convey this

sentiment. It could not be said that *we* were not inhabitants in the constitutional meaning of the term, of the States we respectively represent, although in the district of Columbia. To declare we would be ineligible should an extra session require our attendance here at the period of an election, would be an absurdity without comparison. A case may be put to operate equally strong against the gentlemen. The public architect came to this city six or seven years ago from the State of Massachusetts, with his family. He owns real estate, has built himself a house and is entitled to all the privileges of a citizen of this District. Is he an *inhabitant* of Massachusetts? The answer is easy. Or (Mr. C. said) he would put a stronger case. He knew a clerk who had emigrated to this place more than 20 years ago from Maryland, had reared a family and was the owner of houses and lots, and appeared located for life. Would the gentleman say he was eligible from the State from which he came? Surely not; or else it would be admitted a man can at the same instant, enjoy the same privileges in two or more separate and distinct jurisdictions. Cases may be supposed which prove nothing but their own folly. Mr. C. said his opinion was, we ought to give the word *inhabitant* a rational meaning. It ought to be construed to a common and judicious intent—not so as to impair rights, yet so as to guard against the evils designed to be prevented, which have been ably exposed in the report, and by the gentleman from New York, (Mr. Storrs,) and then applied to the facts as they have been disclosed. Such is the condition of man, such are his wants and necessities, as to require him to be employed in some avocation. To obtain a livelihood the means are diversified, as if to suit the versatility of genius. Some prefer a maritime life; others choose agricultural and mechanical pursuits; others seek the learned professions; and not a few depend upon public favor for a subsistence. The clerks of the different departments, we know, depend almost exclusively on their salaries for support. A clerkship is one of the many ways of obtaining a living. It was the sitting member's preference for the last six years, within which, we are informed, he intermarried. It seems to

me, said Mr. C., a man's ordinary business indicates the "locality of his existence." What answer would a plain common sense man, acquainted with the circumstances of this case, give to this question:—Of what place was the sitting member an *inhabitant*, at the time of his election? Would he not say, of the District of Columbia? Let us say so too; and support the resolution submitted by the committee.

MISCELLANEOUS PAPERS.

[NOTE.—The articles which follow were mislaid, and not found in time to be inserted with the Miscellaneous Papers which precede the Congressional Speeches.]

ORATION,

DELIVERED ON THE 4TH OF JULY, 1808.

Friends and Fellow-Citizens:

I solicit your attention. We have convened for the express and laudable purpose of commemorating *the day* from which we date our independence—*that independence* which our venerable fathers, whose virtues are never to be forgotten, boldly in the name and by the authority of the sovereign people, announced to an astonished world—*that independence* which disavowed all our alliances with Great Britain, rendered us the most happy nation on earth, and one of the most powerful. The 4th of July, 1776, was a memorable day—a day which, I trust, will be recognized as an anniversary, while time shall endure, by every American, whose soul is a stranger to black ingratitude, who can exult in the recollection of a narrow escape from past dangers, and who duly appreciates his own and his country's happiness. How can we, my friends, refrain from indulging in excessive joy, or from bursting forth in raptures, while we celebrate *the day* which has given origin to such mighty and fortunate changes in the moral and political worlds, in consequence of our fathers declaring themselves freemen and giving liberty to their offspring. Let your tongues trill forth the praises of our patriotic countrymen—of our intrepid lovers—who were so studious, so zealous to effectuate, and who did effectuate their own and our release from oppression undescribable; and gained those privileges which we now inherit.

But, fellow-citizens, let us for one moment look back to the day we commemorate—the natal hour of our glorious liberty. Can we do it unconcernedly? Can we do it without the strongest emotions seizing upon our breasts, or without experiencing the greatest solicitude for the situations of those who were the daring agents in the great Revolution? Our birth as a nation may very justly be assimilated to that of an infant: it was accompanied with the most painful anxieties,

and the keenest throes imaginable; then, my respectable audience, realize for a minute the reflections of those who published aloud their determination to die gloriously, or live free-men. War, with all its frightful retinue of calamities, threatened by a formidable empire, on one side; dear freedom, with all her concentrated blessings, on the other: these to authorize a defense and excite to the performance of deeds of glory, those to intimidate and reduce to servitude.

My friends, the causes of our separation from England are so well known, that I deem a rehearsal of them unnecessary. Suffice it to say, that when she became sensible of our growing prosperity, our rapid improvements in agriculture, commerce, and manufactures, and beheld that ere long we would be rich and powerful, she viewed us with a jealous eye, and racked her invention in devising means to oppress us and restrain our increase in population and affluence. The most cunning and unrighteous of her ministers were anxiously engaged in machinating our ruin, the absurdity of whose wicked plans she to her great chagrin too late discovered. The most iniquitous laws, the name of which would now awaken your just indignation, were, without our express or implied consent, imposed upon us. Violent efforts were made to impoverish our country by draining her citizens of their cash in a thousand ways: in fine, every effort was made to plunge them in Egyptian bondage. The Americans became impatient of such tyranny. They found it insupportable. In vain were the most filial and rational petitions presented to Parliament for redress of such grievances. Those very petitions, whose language and sentiments exhibited the ease of the supplicants in the most impressive point of view, were treated with contempt, were ungratefully rejected, and condemned to lie under the table. The Americans, sensible of the insults offered them, and fully persuaded of their right to better things, became indignant. Their keenest resentment was enkindled. They resolved to claim and vindicate those rights which had been denied them in their native countries, and to obtain which they had encountered all the difficulties of crossing the wide and boisterous Atlantic, and of making settlements in the new and uncultured continent,

whose plains were uninhabited, save by beasts of prey and tribes of ferocious wildmen. Yes, my friends, many of our persevering fathers endured all these and numberless other hardships, to find an asylum from trans-atlantic misery—to find a clime more congenial to liberty, where they could arrive at the enjoyment of the great and natural rights to personal liberty, personal security, and private property, and where they could worship the great Creator in conformity to the dictates of their consciences, and undisturbedly taste sweet leisure in the shade. I say, after having to combat these troubles and toils, and being experimentally apprised of the curses of despotism and the blessings of freedom, they were influenced to prefer a bloody war, with a nation formidable in arms, to a quiet submission to base insults and degradation. Large armies of British myrmdoms were despatched across the sea, and poured into our defenseless country, with expectations of making a rapid and uninterrupted conquest. The Americans assembled to repulse the tyrant invaders, trusting the result would be in favor of right. They were fully impressed with the equity of their cause and the rectitude of their intentions. The ensanguined banners of Mars and Bellona were unfurled; a solemn appeal was made to the God of battles; the unnatural but unavoidable contest commences; a tragedy is exhibited; confusion ensues.—The world is wrapped in wonderful suspense—

The fatal cannon's loud tremendous roar
 Belches on Columbia's crimsoned shore—
 Dire bomb-shells burst, their deadly contents flying—
 Small-arms rattling, soldiers falling, dying,
 Bright swords and bayonets clashing, soon are tinged in gore,
 The valiant sink, to rise and fight no more.
 Gay towns and farms involved in conflagration,
 Fathers and mothers lost in lamentation;
 Temples are pillaged, herds and flocks are slain;
 The aged insulted, but dare not complain.
 The fair abus'd, exposed to ev'ry woe,
 Must die, or yield to the insatiate foe.
 The tender infant from its mother's breast,
 In spite of tears, incarnate devils wrest,
 No prayers, no sighs, no rank, no sex nor age
 Can move the monster from his purpos'd rage.
 Amidst the flames the helpless pris'ner dies,

While Indians, pleas'd with his last guiltless cries,
Exulting shout forth with infernal yell,
Which woods resound as the confines of hell.
Kind wives bewail their husbands' fearful end;
Orphans lament their dearest butcher'd friend.
The vales resound, "the rebels we'll destroy;"
"Huzza for liberty," the hills reply.
Doubtful the contest—sometimes hope inspires
Our fainting foes—then our desponding sires.

Such, my friends, was the confusion; such the fate of the two nations, that from their close connection, should have been the very last to engage in bloodshed; but after seven years of warfare, to the glory and happiness of America, the mighty conflict terminates on the side of freedom. Our fathers, by their unparalleled prudence, and under auspices of the Lord of hosts, wrought out their own deliverance and gained the invaluable prize for which they contended; but the Britons, after having expended a hundred millions of money and lost a hundred thousand of their bravest soldiers, were compelled to acknowledge our independence and return to their homes under the most pungent convictions of their temerity, and with countenances depicted with shame.

But, my friends, the liberties which you and I at this moment enjoy are most precious; their price is incalculable; the blood and sufferings of our patriotic fathers have enhanced it. Great Washington struggled hard for them; he exerted every faculty to do his children justice. Remember Wooster, Warren, Montgomery, and the many other immortalized heroes, who became a sacrifice for their country's felicity—who died cheerfully, courageously, and gloriously, in defense of their rights. They fought for their wives, their children, and for thousands then unborn. Let thankfulness swell every bosom; let gratitude burst forth in ejaculations at the thoughts of such consecrated offerings—such examples of patriotism—such manifestations of paternal goodness. Let the name of Washington live forever. May it be as eternal as his goodness was unbounded. Shall it ever be forgotten? No, my friends, his life was a life of such merit and exemplary virtue, his performances in the field and cabinet, so able as to endear him to his cotemporaries and their admiring posterity.

By naming those heroes, who have fought and groaned and bled for you, who have bid you a long farewell, and left you to mourn your irreparable loss in their sad exit, I do not mean to transfix that felicity with which the celebration of this day must naturally inspire you; but to awaken your bosoms to a sense of gratitude and deathless renown.

Sons of Columbia, ye who are anxious to gain the love of your country and establish a name which shall be dear to generations unborn, by dedicating yourselves to the cause of liberty, go not to the ancient republics of Greece and Rome in quest of patriots, for your imitation; such you can find in your own republic. Go tread in the footsteps of your mighty chief, who sleeps in death. Emulate his virtues. Go rival the wisdom, the integrity, and prudence of his reverend coadjutors in the memorable revolution. In fine, if you wish to stamp your names with immortality, let Washington, Montgomery, Franklin, Jefferson, Madison, and the other American worthies, be your polar stars.

Citizens, we can boast of being the most free and happy people under the sun, and of having a constitution beyond all comparison the best. It recognizes all those rights which we as members of a community could wish or expect to enjoy, and holds a flaming sword in their protection. By it we are made our own legislators, judges, and governors; or, what is the same thing, we shine in the three grand departments of government by deputies of our own election. Our lovely constitution guarantees to every citizen the fruition of sweet ease under his own vine and fig tree, without the torments of fear: it guarantees to every individual the liberty of thinking for himself, and to every christian the adoration of almighty God as his prudence may suggest. These are immunities, my friends, upon which too high a price can never be placed—immunities without which life itself would prove rather a curse than a blessing—immunities of which I trust in God we shall ever be tenacious; we have the strongest motives to be so. Look into Europe, into Asia, Africa, or any other country but our own; behold the wretched, the ill-fated inhabitants pining, languishing, expiring under the innumerable calamities of hydra-headed despotism. From the misfortunes

and experience of other nations let us learn wisdom. From those foreign monuments of misery let us learn how to appreciate the advantages of our political system; and let us, my friends, above all things, be studious for its preservation.

Our government may very justly be called republican, which many writers who have made politics and human nature the primary subjects of their investigation, have declared incapable of existing unless supported by virtue. I think this easy of illustration. If, for example, virtue had so far receded, and vice had so far advanced, that candidates, say for our national legislature, would offer rewards to secure their elections, and the people were so base, so blind, as to accept them, what evils might not be expected? Would not the most wealthy, intriguing, and unhallowed fill the offices of honor and profit, while men of wisdom and goodness would be left with their families, to deplore the decadency of their beloved empire? Would not many Blounts, Sebastians and Burrs spring up, and aim at their own aggrandizement by the subversion of our republic? But thanks to that God who preserves us, that, comparatively speaking, but few who by unfair means strive for political ascendancy ever succeed; that we have laws for the punishment of corruption, and that we are so interested in our own welfare as to say, Candidate, thou art destitute of the talents requisite for a ruler, and who seekest and plannest thy own good, stand aloof; we hold your principles in sovereign contempt; we reprobate your intentions. But to him who walketh in the ways of righteousness and who is studious for the public weal, will we give our suffrages. We love him who venerates truth and integrity. It is in him alone that we can repose so important a trust as our lives, our liberties, and our fortunes.

Then, fellow-citizens, as your lover, as a lover of the American community, and of the whole human family, I think it my duty this day, as your Orator, to exhort to virtue, which can only maintain the government which stands so high in your estimation. Virtue is the great palladium of your safety. Upon it depends your future fate. Remove it and you are no more.—Your happiness expires—your empire totters—your union is severed—rival factions spring up, and

desperate demagogues drench their hands in your blood. Virtue can uphold your excellent laws, and prove to the enslaved parts of the world, that if they will follow your examples they may realize your situation, and participate in blessings similar to your own.

In this respectable assembly I discover many who stand high in society, by the offices, civil and military, which they fill. For a few moments I entreat the indulgence of such. As public functionaries you have considerable influence in the community; the honors conferred upon you are proofs of the position. You can do much; you have it in your power to contribute largely to the promotion of moral goodness and the suppression of vice. Your demeanor will unquestionably have a powerful agency in forming the conduct of those who walk in the humbler spheres of life. Let religion and morality characterize your behavior. Foster christianity, assist those who are its avowed advocates. In the neighborhoods where we see it most prevalent, we uniformly see better citizens, better husbands, better wives, better parents, and better children. By your words, by your actions, inculcate principles of integrity, sobriety, and industry. Let no man be able to charge you with being auxiliary to anything incompatible with strict decorum. Let your characters stand fair, not only unimpeached but unimpeachable. If you violate the rules of propriety, it will be claimed as a license by others to do so too. Thus, for immoralities, you are doubly responsible; responsible not only as private individuals but as officers. Gentlemen, I know I am younger than you whom I now specially address, and am sensible of my inferiority to you in point of knowledge and experience; yet I claim it as my privilege to speak plainly to you this day, and the part of this celebration which has been assigned me will protect me in the exercise of this privilege. Then, as friends to your country and constitution, love virtue and practice it daily.

Fathers, for I see there are many present, I now ask your attention. Though I can lay claim to nothing beyond youth, I beg you will hear me with patience. I intend no reflection, but the peace of your declining years, and the constant felicity of your offspring. By becoming parents you have placed

yourselves in a situation peculiarly critical. A more important charge than that of rearing children has never been assigned to a human being. By becoming parents you imposed on yourselves all the duties arising from their maintenance, their protection and education; and upon the manner in which you discharge these will in a great measure depend their future standings in life, as individuals and as members of society. Nature herself prompts to a discharge of the obligations resulting from the two former; but the education of children is too frequently neglected, or if attended to at all it is in such a way as is not the most commendable. At an early period, let them be taught the sciences which are so useful to every person in every imaginable station in life. If the proper methods be adopted they may be instructed in these very necessary branches of literature, before they can be of much service to you either on your farms or in your shops, (I speak of boys). If possible, inspire them with a passion for reading. Whatever their avocations may be they will find many vacant hours which they cannot spend more profitably than in the perusal of good books. Books will not only afford amusement, but an addition to the qualifications of the mind. Put it in their power to know something of what is transpiring in the world. For effecting this I would recommend newspapers. Examine them on what they read. Give them every encouragement. Point out the advantages resulting from books, and the pleasures of the well-informed mind. The celebrated Goldsmith has said, that a country of ignorance will always produce a plentiful harvest of error and superstition, which are two mortal enemies to human happiness. Tyrants cannot subjugate an enlightened people.—Where Science erects her standard, freedom will reign. Ignorance will generate slavery. Those who are acquainted with their rights, will not be duped. Then teach your children wisdom; teach them those things which are necessary for the constitution of a worthy and useful citizen. Inspire them with a love of religion and morality. Instruct them by precept. Teach them to pay a conscientious respect to the golden rule. Inculcate the propriety of living honestly, of hurting nobody, and of giving every one his due. These are absolute

duties. Not only instruct by precept, but by example. Example is the most influential. Man from his mother's breast is an imitative being. If you be immoral, in vain may you preach up morality. If the tavern be your rendezvous, and the intoxicating bowl your delight, in vain may you exhort to sobriety. Extol virtue, expose vice; the former is calculated to promote esteem and peace of mind; the latter leads down to disgrace and misery. Early accustom them to industry. Industry is a most formidable adversary to those things which are most baneful to society. Idleness is one of the grand sources of evil. While in their tenderness, give their minds a proper inclination. Says Pope, "Just as the twig is bent the tree's inclined;" and the wise king of Israel says, "Train up a child in the way he should go, and when he is old he will not depart from it."

Those things if attended to at the proper period of life, will produce effects beneficial to your posterity, to yourselves and to the community of which you form a part. They would produce another Saturnian age,—days still more auspicious than those we now see. Then there would be fewer ambitious Burrs to separate the Union, and no pensioned judges to have a voice in the temple of justice. The goddess Astrea would assume a more extensive reign, and her divinity be more universally adored. The number of bullies, thieves, and cut-throats would be diminished, and peace and plenty smile in every family. Parents, I conjure you, I importune you, by your love of liberty, by your patriotism, by the respect due to hoary heads, by your happiness, and by the welfare of your children, to teach them to do justice, love mercy, and walk humbly.

Young gentlemen, you who are about to embark in a wide and dangerous world to do for yourselves, give me your audience. Like myself, you have acquired but little experimental knowledge. It will be prudence in us to gain instruction from the experience of others. "Happy is he," says one of the ancients, "whom another's dangers make cautious." Experience, we are told, keeps a dear school, and that those who will learn in no other, fall completely under the character of fools. Similar causes invariably produce

similar effects. How consigned to folly, how blind to their own interest must those be who will not shun the rocks upon which they have seen others made shipwreck. We have long since discovered that falsehood in the merchant, the farmer, the mechanic, or any other person, is a serious injury, is inimical to his prosperity. Then let us avoid this evil. Punctuality is one of the mainsprings of business: then let us be punctual, and consider our promises as sacred. Doctor Blair says diligence, industry and the proper improvement of time, are material duties of the young. Then let us discharge those duties, young friends: a discharge of them cannot fail to place us in easy circumstances, and conciliate the applause of the world. When the aged admonish let us not slight their counsels. They intend our good. They will point out the rocks, the shoals, and quicksands, the Scyllas and Charybdes, to which we in our passage may be exposed. They will give us notice of the shores where sirens with their captivating songs will charm their listeners to destruction. Let us always be willing to learn, and always lay our breasts open to conviction. Happy, happy will it be for us, if we can imbibe and cherish an emulation to excel each other in whatsoever is great and good—in a virtuous and uniform behavior. Happy for us, indeed, if we will consider our ways and mutually provoke to love and good works.

Ladies, a word to you. You are able to accomplish much. Nature has given you extensive influence. She has formed you lovely; your charms are as irresistible as truth itself. We love you, we adore you, and will form our manners and the whole routine of our conduct to correspond with your taste. Your displeasure is to us insupportable. If you reverence and cherish the virtues, we will be virtuous; we will espouse the cause of those luminous and happy qualities, justice, prudence, temperance, and fortitude. If you frown at wickedness, you frown it into nonentity. Since then, ladies, your influence in forming the morals of men, is so unbounded, it will be your duty, your indispensable duty, to study the laws of propriety, and enforce them by your approbation. Ladies, ye who are in the bloom of life, but have not entered the silken chains, teach the young of our sex who would fain

form the most tender yet indissoluble alliances with you, that the meritorious alone shall receive the reward of your affection, that your smiles are reserved for the virtuous. Let your language and conduct speak such sentiments as these:

Ye gentle swains, who wish to know
The blessings which from wedlock flow;
To gain your dear beloved prize
Be gen'rous, brave, be just and wise.
We love our liberty and laws,
We love those who maintain their cause;
With youth who patriotic are,
At Ilymen's shrine we will appear.

When, my female auditors, your indignation is established as one of the penalties of vice, the world will assume a very different aspect—one that will attest before men and angels your influence in promoting and perpetuating whatsoever is great, good and excellent.

Fellow citizens, I am detaining you too long—indulge me a minute or two and I shall finish. From what has been said, let our minds be deeply and sensibly impressed with our present situation as a people—that we enjoy independence in its purity, and that it concerns us materially to support this independence; for its security we ought to be vigilant and anxious. Remember its price. To be sure we who are assembled here this day constitute but a small part of the American nation; yet this consideration will not justify us in a careless inattention to the common weal. If our great system should be convulsed, each of us will feel the shock. Let our republican government be destroyed, and a monarchy or an aristocracy be adopted, each of us will be miserable. It is fresh in your memories, that certain desperadoes, whose names shall be enrolled among the names of traitors, attempted not long since to involve us in wretchedness; and though they did not succeed, the probability is, that similar attempts may yet be made; then be watchful. Now-a-days in Europe, the tenure of crowns is precarious, and the duration of kingdoms extremely uncertain. When our neighbor's house is on fire, let us be cautious of our own. My friends, that we may be

happy let us be virtuous; that we may be wise let us be studious; that we may be opulent let us be industrious and economical; and finally, that we may experience the generosity of heaven let us repose an unshaken and religious confidence in that God who is awful in justice, but amiable in goodness. I add no more.*

* Delivered at West Union, Adams county, Ohio.

ANSWER TO KAPPA.

MRS. COLVIN:*

I will follow the example of Kappa in addressing *you*, and say my solicitude for the success and prosperity of the "Messenger" is not less than his. So far it has made its way free from reproach, and long may it deserve favor and kindness. Angry controversies, particularly those involving politics, ought ever to be excluded from your columns. For such I shall not ask insertion, and so far as I am concerned with Kappa, the most punctilious decorum shall be regarded. Should he vanquish me in argument or out-number me in syllogisms, he shall not bear from me the palm of good nature. "To keep cool" is a motto of which I now avail myself, and the moment I cease to *librate*, he may be pronounced victor.

Had Kappa consumed half as much time in defending the propositions with which he set out, or in combatting my reply, as he has in proving that his opponent is not "a member of Congress," your readers would have been much more edified. He is too wise to believe that a name, a mere signature, can essentially affect an argument. I understand him—he is a dextrous logician; and this is a "master stroke" of policy, to divert attention from the true issue.

He speaks of the accessions of "glory" which your new contributor will bring to the "Messenger." This little condiment, however grateful to my *gout*, I fear is undeserved. He may wish to give me consequence, for a very good reason. Beaten, he can say a giant was his adversary;—if victorious, the achievement will be the more brilliant.

Kappa compliments the members of Congress highly, by intimating that their public duties occupy so much of their time as to preclude the idea that one of them could find time

* Originally published in Mrs. Colvin's Messenger, February 24, 1827.

to write an article for a newspaper. It is certain, that having much business on hand, they meet early and set late; but as to myself, to save an hour for this purpose, it is only necessary to *negative* a kind invitation to dine; or to rise early and "drive my quill" while philosophers who know how to promote health and vigor of intellect, march forth to snuff the morning breeze.

Kappa shows great skill in controversy. Supposing his adversary not to be a member of Congress, he offers him irony for argument. This weapon he brandishes as skilfully as if his hand was untaught the use of any other. Not choosing to expose myself to the keen edge of this instrument, I desire to be considered a grave member of Congress, strongly attached to the old mode of arriving at a conclusion by *majors* and *minors*.

Kappa, in his first article, preferred against Congress the charge of parsimony, and submitted his proof. To me it appeared there was no ground for the allegation, and that his evidence was too weak to raise a presumption of guilt. He again reiterates the accusation, and instead of supporting it by facts and just reasoning, diverges, and by a chain of irresistible argument upholds the right to condemn the unwise and impolitic measures of Congress. This is a point on which we agree, and I trust there may never be a want of those who will denounce the folly of our rulers. An acquiescence in every act, right or wrong, would be ominous of the most alarming results. To make every officer "track right," vigilance is indispensable. The perpetual cry of "all's well" begets insecurity. Upon the discovery of obliquity, the faithful sentinel will announce the crime and fix the punishment.

Parsimony is an offensive term. No one understanding the meaning of words, ever felt flattered by its application—and hence the necessity on the part of Kappa to prove the charge.

His aberration has left me but little to do. It is not my purpose to make "straw men" for the purpose of "knocking them under." Such operations might exhaust

my "precious energies," and yield any thing else than a harvest of "glory."

Whatever Kappa may write, I shall read with care; but in me he shall no longer find an adversary.—this closes on my part. Should any thing he may urge in future ever require notice, an interval of five hundred miles, and agricultural pursuits, will enjoin my silence.

SCRAPS.

"A snapper up of unconsidered trifles."

Spectacles were invented by Spina, a monk, in 1200. For so important a discovery his name ought never to be forgotten.

Between the mouth of the Missouri and bayou Sarah, a distance of one thousand miles, more than two thousand snags have been removed the last year by one steamboat. Many others were removed from sand bars during low water by chopping. At the Grand Chain, in the Ohio river, many rocks have been removed by blasting.

The Board of Visitors to West Point recommend a more rigid attention to the "art militaire" in its most comprehensive sense; or the "strategy of war." In what dictionary is "strategy" to be found?

In the inclement months of the year, when the cadets take but little exercise of body, a great amount of medicines, such as are required in a "torpid state of the digestive organs," are used. The erection of a house for drill and gymnastic exercises, at an expense of eight thousand dollars, is recommended.

There is a splendid hotel at West Point, built at an expense of seventeen thousand dollars. The cadets are not allowed to enter the dining hall, where, only, liquors are allowed to be drank; of course, they can neither eat nor drink there with their visiting friends. The truth is, they are forbidden to "drink any wine or strong drink."

Remark.—They might as well be members of a "Total Abstinence Society." I *guess* some of the Virginia boys, when discharged, will feel some disposition down about "York" to take a real "spree." A little wine, some "old Monongahela," or "Bourbon," might be of use to their torpid stomachs.

General Jesup, speaking of the Delaware breakwater, states that the whole quantity of stone deposited is one hundred and thirty-five thousand seventy-nine perches—deposited on the breakwater one thousand feet, or more than one-fourth of its intended length, and eight hundred feet on the ice-breaker, or more than one-half of its proposed length. *Breakwater* and *icebreaker*! Strange names for expensive things.

Last year one thousand five hundred and thirty-eight men entered the army as recruits. The desertions amounted to more than one thousand. The man who could devise some practicable way of preventing this crime, would deserve well of his country. A thousand desertions involve a thousand perjuries, as every soldier binds himself under a most solemn oath to serve his country as such.

The number of revolutionary officers on the pension list on the 20th of October last was three hundred and fifty-three, each entitled to twenty dollars a month; of non-commissioned officers, privates, &c. eleven thousand seven hundred and twenty-two; and the number of invalid pensioners, three thousand eight hundred and seventy-three. The whole number, fifteen thousand nine hundred and forty-eight. The number of deaths for the year ending on the 4th of September past was four hundred and fifty-seven; some States not heard from.

The number of militia in the United States in 1829 was one million two hundred and twenty-eight thousand five hundred and three; fifteen thousand stand of arms were apportioned the same year.

The gold and silver, in bullion and dollars, imported into the United States in 1829 amounted to eleven millions eight hundred and five thousand five hundred and one dollars. The same year something more than five millions were exported.

In 1829 coffee to the amount of fifty-one millions one hundred and thirty-three thousand five hundred and thirty-eight pounds, valued at four millions five hundred and eighty-eight thousand five hundred and eighty-five dollars, were imported; and eighteen millions eighty-three thousand eight hundred and forty-three pounds exported. The duty on each pound at that time was five cents.

In the same year six millions six hundred and thirty-six thousand seven hundred and ninety pounds of teas were imported. Of this amount one million five hundred and fifty-five thousand nine hundred and ninety-five pounds were exported.

Of wines and *brandies* I will say nothing, not wishing to *horrify* any body.

North Carolina last year produced upwards of five hundred thousand dollars worth of gold, and Georgia about half that amount. The legislature of North Carolina wish a branch of the mint established in their State. Great luck to the auriferous regions. *Nota Bene*.—I have heard there is a mine of silver or gold on Straight creek. Perhaps it is a mere figure of speech in reference to a fertile soil there.

In New York there are nine thousand sixty-two school districts; and four hundred and ninety-seven thousand five hundred and sixty-three children between the ages of five and sixteen were taught in the common schools about eight months last year.

The prison at Auburn contains six hundred and sixteen convicts; of these twenty-five are females. The prison at Sing Sing contains eight hundred and six convicts; of these one hundred and fourteen were sent from the city of New York. The aggregate is one thousand four hundred and twenty-two. This furnishes proof that we are not, in Ohio, quite so bad as our neighbors, the Yorkers. We have about one-half as much population as they have, and *only* one hundred and sixty-five convicts. Their convicts just about clear their teeth; ours, being lazy dogs, do not earn so much.

The New York canal debt on the first of January instant amounted to seven millions eight hundred and twenty-five thousand and thirty-five dollars, and the tolls of last year to more than one million dollars.

The Governor of that State recommends the abolition of capital punishment for arson and *technical murder*. What is technical murder? Perhaps it's drowning a perjured mason in the Niagara river.

The amount of debt for making canals in Ohio on the first of January next will be four millions six hundred and eighty-five thousand seven hundred and sixty-five dollars, assuming it as probable that the whole of the last loan will be needed. Our canals are to be finished, unless some sad disappointment should take place, in the spring of 1832.

A few weeks ago the "Temperance Journal" contained a letter, purporting to have been written by a citizen of this county, stating that a man had gone abroad, got drunk, fell by the way side, and was nearly devoured by hogs. Having never heard anything more of this melancholy affair, I suspect the writer was waggishly inclined.

Our own legislature is strongly inclined to abolish capital punishment in cases where death ensues in the commission of rape, robbery and arson, or house burning. Should this principle of humanity be incorporated into the criminal code, the incendiary, who, to avenge an injury, in the silent hours of night, fires his neighbor's house, and the whole family are lost in the flames, is not to be hung; but is to be sent to the penitentiary for life. In this policy I cannot concur. The offense is one so heinous that it ought to be met by the heaviest penalty known to our law. This tenderness to culprits is the dictate of mawkish humanity, and offers a subject on which every good man is admonished to reflect.

Our representative, Colonel Edwards, has, in the legislature, advocated the abolition of punishment by death, in all cases. I admire his independence, and would be glad to hear his reasons.*

* Notes made several years since.

COLLEGES.*

There are in the United States sixty colleges and six thousand one hundred and eighty students. Of these, three thousand four hundred and seventy-five are reckoned academical. The others are theological, medical and legal.

At Yale, the number is three hundred and forty-six, which is more than any other institution in the country can boast of. At Cambridge, there are two hundred and thirty-six; at Union, two hundred and five; at Amherst, one hundred and ninety-seven; at St. Mary's, one hundred and forty-seven; and at Transylvania, one hundred and forty-one. I forbear a reference to others.

The table from which these statements are taken, represents the law students to be eighty-eight, which beyond all doubt is an error. The State of New York alone can count at least fifty. In 1829, it is said by Mr. Williams, who conducts the Annual Register, that the attorneys and counsellors in that State amounted to sixteen hundred and eighty-eight; and in 1830, to seventeen hundred and forty-one, which shows an increase of fifty-three in one year. On the assumption that this is near the truth, we think the whole number of law students in the United States may be set down at 300; of which it is supposed one half attend a course or two of lectures.

The medical students are estimated at two thousand, and the theological at six hundred and sixty-three. There are twenty-one theological, seventeen medical, and eight law schools, under the direction of gentlemen of great literary attainments.

The university at Cambridge is pronounced the oldest and richest in the United States. It was founded in the year 1638, or one hundred and ninety-five years ago. The officers are a President (Josiah Quincy, LL. D.) and twenty-

* Read before the Columbus Lyceum in 1833.

three professors and tutors. The libraries contain forty thousand volumes. The philosophical apparatus, cabinet and botanical garden, are all excellent. The buildings are eight in number, of which one is granite, finished in a superior style.

Yale was founded one hundred and thirty-three years ago, and ranks high on account of the talents of the faculty, and their happy methods of instruction and discipline. The libraries contain twenty thousand volumes.

At the four colleges in Ohio to which the editors of the American Almanac refer, there were last year two hundred and forty-four students. From the accessions since, particularly at Kenyon, we presume the number exceeds three hundred. There are probably one hundred and fifty other youth at schools and academies engaged in the study of the dead languages, and preparing for a collegiate course.

About two years ago a manual labor school was opened at Worthington, and hopes were entertained by the friends of the system that success would crown the effort. It is mortifying, however, to say there has been a total failure, and some of the pupils are actually gone to a similar institution at Hanover in the State of Indiana, unwilling to relinquish their original designs.

Through the laudable exertions of the German Lutherans, a seminary was established at Columbus about eighteen months since. The corner stone of the edifice, which is now in use, was laid on the 15th of July last, attended by the usual ceremonies on such occasions. This institution, without ostentation or parade, gives promise of success. Its advances, although not rapid, are steady, and quite equal the expectations of its friends. The pupils have the reputation of being peaceful, unassuming and studious, knowing how to appreciate time and education. The principal is assiduous in the discharge of his duties; and for skillfulness in the learned languages and the sciences, will bear a comparison with the first scholars of our country.

Estimating the whole number of students in Ohio at five hundred, which is not wide of the truth, it will be found there is only one for every two thousand of our population, now

supposed to be a million. This is a small and disreputable proportion, where an education can be obtained on terms unexceptionably cheap. The number may be ample to supply the learned professions; this, however, is not all. It is highly important to the interests of the country to have well-informed citizens in every neighborhood and township. They become the business men, and can shed an influence upon the surrounding population, favorable to the cause of knowledge and virtue. They are looked to for counsel and advice in every thing which pertains to the concerns of the vicinity. Through their efforts much can be done in the settlement of disputes, the establishment of schools, the founding of churches and the improvement of morals. Without doubt, many of them would become able and suitable representatives in the councils of the country, bearing with them a knowledge of the wants and wishes of the people.

As far as I know, there is but one literary institution in this State, where manual labor is combined with study; and that is the Lane Seminary near Cincinnati. The disregard of so important a principle in the means of obtaining an education, where to toil in the garden, the field and the shop, is not infamous, argues a degree of imprudence and neglect, specially reprehensible. It is admitted on all hands that exercise is useful to the student in the protection of his health; that it is the almost sure preventive of dyspepsia and other diseases, inauspicious to mental effort. If this be fact, the question may be propounded, whether employment at the plough, the hoe, bench or lathe, is not quite as salutary and profitable as the childish games of cat, bandy, corner ball or anthony-over?

ADDENDA.

JOHN W. CAMPBELL.

REMARKS ON THE CHARACTER OF THE LATE HON. JOHN W. CAMPBELL.

BY A FRIEND.

My acquaintance with Judge Campbell commenced in 1811; some ten or fifteen years after his settlement in Ohio, and continued until his lamented death. He entered on the duties of the legal profession, as is well known to his numerous friends, with fair prospects of signal success. Nor were those prospects fallacious. He very soon acquired a high reputation, and while he was respected as a member of the bar, his character as a patriotic citizen, as a neighbor, and as a friend, commended him most to the affection of those who knew him best. Possessing talents of a high order, a mind highly cultivated, particularly as it was well stored with useful knowledge, both general and professional, and the habit of patient and careful investigation, joined with integrity and perseverance, he could not fail to become eminent in his sphere of action. And his success was indicated by the confidence of his fellow citizens, and the trusts committed to him by the State and General Governments. But on these topics it is unnecessary for me to dwell. It is rather my design briefly to remark some traits of character which I observed during the time of his residence in Columbus.

He appeared to me to possess a high degree of equanimity. Doubtless he had his seasons of depression and of excitement, as all men have; but I have known very few who have, in similar circumstances, exhibited an equal degree of evenness of temper and properly regulated feeling. Nor did this proceed, as it sometimes does, from carelessness or insensibility. He was alive to all real interests, both public and private, his own and others', as every man should be; but his strong sense and sound judgment controlled his emotions, and preserved

him from the influence of those disturbing forces which often throw even the greatest men off their balance, and sometimes drive them out of their proper orbit. He was indeed in some respects very sensitive, as I have had occasion to observe; still he maintained, on such occasions, a great degree of composure and self command.

The character of his mind was marked rather by a talent for minute and varied and thorough investigation, and correct apprehension, than by bold conception or surprising comprehension. The latter qualities may make a stronger impression, but the former are certainly more safe and useful.—Hence his matured opinions were seldom erroneous. (I speak now of his opinions, more particularly, on moral subjects; as in this regard I knew him best.) And for the same reason, his views were very practical, and were well calculated to form his own character, and to exert a salutary influence on those with whom he associated in the various intercourse of life. Thus also, he trod with safety and success the path of knowledge, and gained the reputation of wisdom which invested him with so much influence in the sphere in which he was placed.

Public welfare always seemed to have a paramount place in his regard. I have seldom known any one of his natural temperament and mental constitution whose thoughts and feelings were as thoroughly and deeply occupied by subjects of this nature. He seemed to be quite at home in his attention to the interests, both general and particular, political and moral, of the community of mankind at large. And here it will be proper that I should mention, leaving out of my view national and political topics, the importance he attached to the diffusion of useful knowledge among the people, especially the education of the rising generation; and his sympathetic attention to the sufferings of others. In these things he took much pleasure, and gave many and various practical evidences of his interest in them during his residence among us. As a few instances of this nature I may first state, that he showed a strong desire to improve common schools, and gave his zealous aid and co-operation in an attempt, which

proved abortive, but not at all by his fault, to establish a Lyceum on an extended plan for the public benefit; and his active and fearless efforts during the prevalence of the cholera. The same feelings led him to embrace, at an early period, the cause of the American Colonization Society, as a great scheme of benevolence which promised much good to the degraded suffering African race. Of the Ohio State Colonization Society he was president at the time of his death.

I have seldom known a man of more uniform and thorough morality. He seemed to allow himself to entertain no principle and do no action, even of a trivial kind, that was, or had the appearance of being immoral. Doubtless he was thought by some to be unnecessarily strict in this respect. But yet there was not, that I ever observed, any appearance of rigor or harshness—all seemed easy and natural—the result of principle well digested and firmly fixed. And it is worthy of special notice that the Bible, and not any of the partial maxims, or flimsy, defective theories of wordly morality, was his code. Divine authority he regarded as supreme in morals, and Divine revelation as decisive and sufficient.

His religious views were of the most decided kind; and by his expressions of respect for religion, and his attendance on its ordinances, he showed that he attached to it a high practical importance. Like many others of enlightened mind who are actively engaged in the interest and business of this world, he did not give that first and chief attention to practical religion which duty and interest equally demand, until a late period. And this was to himself a cause of deep regret which he repeatedly and strongly expressed during his last illness. But ere his departure, I think he exhibited decisive evidence of a change of his views and feelings in this respect. He expressed his sorrow that he in so great a degree neglected that one thing that is needful, his full conviction of his sinfulness and utter unworthiness before God, his need of an interest in the atonement and grace of the Lord Jesus Christ, and also his need and desire of that spiritual renovation which is the work of God. Often his language was peculiarly clear and strong on the great points of experimental and practical

religion. Could his conversation during the last week of his life be accurately recollected, I am persaded it would furnish much satisfaction, as well as afford pretty clear indications of that Divine operation by which God, in his riches of grace by Jesus Christ, gives conformity to himself, as a preparation for death, and for dwelling in his presence.

JOSEPH N. CAMPBELL.

A SHORT NOTICE OF JOSEPH N. CAMPBELL.

BY A FRIEND.

JOSEPH N. CAMPBELL was born July 5, 1783. He possessed a mild and peaceful temper, and was remarkable for his morality even from early life. He carefully avoided the vices so common, and so destructive to youth. In youth, as well as in more advanced age, his character was unstained by any vicious habit. He enjoyed the advantage of religious instruction and example, and this, no doubt, contributed much to the formation of his moral habits. Such example and instruction have ever been found the richest blessings that parents can confer upon their children. They are the prominent means of propagating religion and morality in the world, and consequently essential to the happiness of the human race. How desirable that all parents should confer such privileges upon their never-dying offspring. Immortal beings should be put in possession of every means necessary to happiness both in time and eternity. Had not Mr. Campbell enjoyed the advantages of religious example and instruction, he might have wandered in the paths of vice and folly to the utter subversion of every temporal and eternal interest. The manner in which he profited by these advantages is the highest evidence of a wise and reflecting mind. Alas! how many silly youth count it a mark of wisdom to hate religious instruction, and to despise pious example. For such, nothing can be hoped, either for time or eternity. Careful attention to religious instruction and example is one of the most hopeful evidences of future usefulness and true greatness found in youth. In this respect, Mr. Campbell should be imitated.—He profited by example and instruction, and by this means was enabled, from early life, to govern his appetites and passions so as to sustain an unblemished character. And thus he made one of the best attainments ever made by men. He

that governs himself does more than he who governs a kingdom. *A good name, gained by such means, is better than precious ointment.*

It is to be regretted that Mr. Campbell's morality was not, in the first instance, the result of piety. That he spent the vigor of youth without giving his heart to the service of God, and without professing the Saviour before men, is much to be lamented, and was no doubt, to himself, in after life, a source of deep regret. Still his early and continued morality is to be admired and commended, so far as good in itself and profitable to society. Morality, although it may be abused by making it a scheme of self-righteousness, and such abuse of it may endanger the soul, is nevertheless valuable in society, and less unfavorable to religion, than habits of vice. It preserves health, gives vigor to the powers of reflection, and prepares the mind for serious thought; it affords time and means for mental cultivation, and renders the habits of religion easy. It is admitted that there is no holiness in the morality of the unrenewed man, and nothing in it that will avail in the sight of God; yet without morality, society could not exist. Morality there may be without religion; but there can be no religion without morality. Mr. Campbell's morality was no doubt the means of placing him in circumstances more favorable for the reception of divine grace, and consequently of great value.

The industry of Mr. Campbell is equally worthy of notice. He was far from being a drone in society. He was not one of that class, alas, too numerous, who despise labor, and are ever attempting to degrade the laboring man. From his first capability he was ever engaged in some useful employment. By his own industry and economy he acquired the means of setting up the mercantile business, and by a close attention to this useful employment, he acquired the means of support, and of usefulness in society. As a merchant he sustained a fair character, and his customers reposed the highest confidence in his integrity. In carrying on his business he regarded the interests of others as well as of himself. He favored so far as practiceable the honest and industrious classes of society. It is often in the power of the merchant to

aid poor and industrious men in setting up and carrying on business. In this way Mr. Campbell rendered service when opportunity offered, and by it accomplished much good to his fellow men. If merchants in general would copy this part of his example, thousands of day laborers and mechanics would rise up and call them blessed. Men, in every employment should be actuated by the spirit of benevolence. Nothing should be done for mere selfish purposes. Every man should live to make others happy as well as himself. Thou shalt love thy neighbor as thyself, should ever be the rule of action in all our intercourse with our fellow beings. Mr. Campbell did, in some good degree, carry on his business for the good of others. Industry was a prominent virtue in his character, and a principal means of his usefulness. This trait of character should be possessed by every one. Every idler is a drone in society to eat up the hard earnings of the honest and industrious.

Mr. Campbell was not favored with a liberal education; but by his own industry he acquired the knowledge suited to his station, and such as was calculated to give him respectability and render him useful in society. He valued mental cultivation, and consequently, amidst the cares and business of life, he did not forget to store his mind with useful knowledge. This connected with a humane and benevolent disposition gave him extensive influence in society, and afforded him many opportunities of doing good.

At the early age of twenty-two he was appointed Associate Judge of the Court of Common Pleas. He discharged the duties of this office with such fidelity as secured general approbation.

In July, 1816, he was married to Miss Elizabeth Kirker, daughter of Mr. Thomas Kirker, who was formerly well known in the legislative halls of Ohio. In this connection he lived happily the remaining part of his life. He was a kind husband and an affectionate father.

So soon as he became the head of a family he began to discharge the duty of family worship, and some short time afterwards he and his wife made a public profession of religion. At what time he became a special subject of grace is not known.

Some time after his public profession of religion, a Presbyterian church was formed at Ripley, and he was elected to the office of ruling elder. The duties of this office he discharged to the satisfaction of the church up to the time of his death.

Mr. Campbell as a christian attended carefully to the duties of religion. And this is the best evidence we can have of the genuineness of a man's christian profession. "This is the Love of God, that ye keep his commandments, and his commandments are not grievous." "By their fruits ye shall know them." Mr. Campbell was a conscientious man, and one that regarded the commandments of God. His conduct evidenced the sincerity of his profession.

The Presbyterian church of Ripley was very small at its foundation, and, of course, the support of a pastor devolved on a few, and required of that few much liberality. Mr. Campbell sustained his part among them, and thus with a few others of equal liberality, was the means of sustaining the public means of grace, until from small beginnings a large and flourishing church has sprung up, in which his name will be long remembered. He was also liberal in promoting the various benevolent institutions of his day. His contributions extended to the far distant heathen. And it is hoped that through his instrumentality some benighted idolaters may receive the light of life and find their way to heaven.

In July, 1833, that scourge of nations, the cholera, visited the town of Ripley and spread terror and death among the inhabitants. Mr. Campbell had been previously in a debilitated state of health, and the more readily became a prey to the fatal disease.

In the evening preceding his death he thought he felt better health than usual. Early in the morning it was discovered that the cholera had commenced its ravages upon his system. He found himself extremely feeble. He told his wife that he could not recover; expressed his hopes of future happiness, and exhorted her to bring up the children in the fear of the Lord. He soon became too debilitated for conversation, and expired in the afternoon of the same day.—Thus, in a few hours, the kind husband and the indulgent

father was torn from the embraces of his family. It was indeed a distressing bereavement. Still it was consoling to believe that it was but the shorter way to heaven.

He died on the 13th of July, 1833, and was interred on the following day.

The news of his death was extremely afflictive to his brother, John W. Campbell, who then resided at Columbus, a hundred miles distant. Joseph's mild and amiable disposition rendered him peculiarly a favorite with his brother John. It was thought that John never afterwards resumed his usual cheerfulness.* Strong indeed are the ties of brotherhood, but, by death, they must all be broken up. On earth, the dearest friends must part. How happy they who shall meet in heaven to part no more.

* Joseph N. Campbell was elected judge in Clermont county. He traveled to Williamsburgh to court for many years, through a wilderness country and through the mud. The county of Brown was stricken off Clermont, Highland and Adams. Joseph N. was again elected judge for the county of Brown. He resided in Ripley in said county.

Judge Campbell exclaimed, on hearing of his brother's death, "Shall I never see the face of my beloved brother on earth. He was my favorite brother. He was dear to me through life; I mourn over his death."





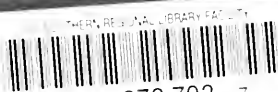
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